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JULIA C. LATHROP, Chief

A SUMMARY
OF
JUVENILE-COURT LEGISLATION
IN THE UNITED STATES

By

SOPHONISBA P. BRECKINRIDGE

and

HELEN R. JETER

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LEGAL SERIES No. 5

Bureau Publication No. 70



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LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washington, August 14, 1919.

SIR: Herewith I submit a summary of juvenile-court legislation in the United States, prepared by Miss Sophonisba P. Breckinridge, who has written the editor's note, and Miss Helen R. Jeter, of the Chicago School of Civics and Philanthropy. A considerable amount of preliminary work was done by Miss Lulu L. Eckman, of the Children's Bureau.

Respectfully submitted.

JULIA C. LATHROP, *Chief.*

Hon. W. B. WILSON,
Secretary of Labor.

EDITOR'S NOTE.

The juvenile-court legislation which has been enacted since 1899 by many States and by the United States Congress for the District of Columbia is evidence of the unsatisfactory state of the law prevailing prior to that time for dealing with offending children and with adults guilty of offenses against children and also of the inadequate provision for the care of destitute family groups in which there were children.

The law under which offending children or adults guilty of offenses against children were dealt with was the criminal law with all its constitutional safeguards—jury trial, confronting of witnesses, sworn testimony—and with all its lack of provision for constructive treatment that goes with the individualization of punishment. Found “guilty” by a jury of his peers, the accused would suffer the penalty; “not guilty,” and he went free, without constructive help, however great his need. The accused child had been, with certain restrictions as to age, dealt with exactly as the adult, and the adult accused of offending against the child could be only punished or acquitted. The courts before which these cases were tried were courts of criminal jurisdiction whose rank, whether justices’ courts, magistrates’ courts, or circuit courts, depended upon the seriousness of the offenses charged. For the care of families in destitute condition there were in a number of States statutory provisions, similar to those in the English Poor Law, imposing a duty of support on certain relatives and requiring aid to be given by local public officials, of whom intelligent and competent relief could be rarely expected. These statutes provided for the enforcement of the duty of support by an action generally before the county court or the corresponding tribunal possessing functions partly judicial and partly administrative.

There had also been developed a body of legislation providing for the institutional care of children from degraded homes. These statutes authorize the establishment of institutions to which the children of drunken, immoral parents might be committed. The establishment and conduct of these institutions has often given rise to difficult and delicate situations.

The juvenile-court legislation then deals with a complicated group of problems: That of the offending adult, the accused child, the neglectful and degraded parent, the incompetent or unfaithful guardian, the family that is simply poor. This legislation must contain provisions concerning methods of complaint, of apprehension, and of detention; structure and organization of the juvenile court

and its relation to the other tribunals; records, procedure, organization of the probation staff, and methods of disposition of the various kinds of cases; and the relation of the court to the agencies upon which it must depend—charitable, educational, correctional. These new provisions will be to a considerable extent determined by the nature of the old law; and the new legal and social structure which the statute attempts to substitute for the old will not possess unity and simplicity, but will inevitably offer proof of the varied problems giving rise to its enactment.

These difficulties are increased by the fact that under the earlier law the right of the father to his child partook of the nature of a property right. The courts of law while able to enforce the rights of fathers were unable to enforce the duties of fathers,¹ and the power to interfere with the right of custody enjoyed by the father was rigidly limited to certain specific parental deficiencies. Recently, however, it has become clear that under the doctrines of equity jurisprudence the rights of the child to a reasonable minimum of care, of decency, of well-being, and of consideration for youth and previous disadvantage might be assured the child without violating either the constitutional provisions intended to prevent abuse of criminal procedure or the property rights of the father. Legislation attempting to cure these defects in the law is also faced with constitutional difficulties growing out of the doctrine of "separation of powers" and out of the fact that the judicial system is frequently elaborately dealt with by the State constitutions, and the power of the legislature to create new courts or to determine procedure is therefore limited.

Because of the great variety of the problems presented by these groups of offending and neglected children and because of the differences among the various States with regard to the structure of the judicial system, an analysis of the legislation exhibits differences at many points. The courts to which the jurisdiction is assigned vary, not only among States but within the boundaries of a single State; the classes of persons over whom special jurisdiction is given, the nature of the structure, the nature of the procedure, the nature of the treatment authorized vary. But everywhere is the attempt through the judicial system to attack a series of differing and difficult problems involving hostile conditions, domestic, economic, and social under which children were living and developing.

The following analysis exhibits the differences in the legislative attack upon these problems. A further question that could be asked but has not been asked is the extent to which the members of the judiciary have met the expectations embodied in the legislation under review.

¹ Wellesley v. Duke of Beaufort, 2 Russell, 23.

INTRODUCTORY NOTE.

In an analysis of juvenile-court legislation it is necessary to note first the extent to which the effort to obtain this form of control has prevailed and the scope of the laws enacted in the several States. Juvenile-court laws have been enacted throughout the United States with the exception of Connecticut, Maine, and Wyoming, and these three States have passed laws dealing with some of the problems usually included in the juvenile-court law itself. Connecticut provides for detention homes, probation, juvenile reformatories, and separate hearings for first offenses of children, and further provides that in cities of 20,000 or more juvenile courts may be established by ordinance, to be held by a judge of the police or city court, provided such ordinance does not extend beyond the selection of a suitable court room; Maine makes special provisions for the probation of children under 16 and has established industrial schools; Wyoming defines delinquent, dependent, and neglected children and provides for State supervision of their care.

Most other States have single comprehensive laws operating over the whole State, but in the following States the legislative policy has been different. In Alabama,¹ Colorado,² Delaware,³ Maryland,⁴ Massachusetts,⁵ Missouri,⁶ New Jersey,⁷ New York,⁸ Ohio,⁹ Pennsylvania,¹⁰

¹ *Alabama*. General Laws 1915 No 506 (general law for State). Local Laws 1915 No 128 (local law for Mobile County), No. 361 (local law for Jefferson County).

² *Colorado*. Revised Statutes 1908 ss 552-557, 558 amended 1913 p 694, 559-587, 588 amended 1909 C 156, 589-606, 1549-1559 (law for State); ss 1589-1607 (law applying to counties of 100,000 or more).

³ *Delaware*. Revised Code 1915 ss 3827-3843 amended 1915 C 236, 1917 C 252, and 1917 C 253 (law applying to the city of Wilmington). (Provisions for commitment and probation of juvenile offenders in remainder of State but no juvenile-court law.)

⁴ *Maryland* 1916 C 326 p 685 (general law for State). Code of Public Local Laws art 1 ss 184A-184F amended 1912 C 471 and 1914 C 701 (Allegheny County, partly superseded by State law); art 4 s 623A amended 1902 C 611, 1904 C 521, and 1910 C 41; and ss 886A-886F amended 1902 C 611, 1904 C 514, 1906 C 263, 1912 C 618, 1918 C 208 (Baltimore City).

⁵ *Massachusetts*. Revised Laws 1902 C 86; C 84 s 2 amended 1908 C 598; C 217 s 83; C 46 s 6 amended 1913 C 779; 1903 C 334 amended 1909 C 181; 1906 C 413 amended 1912 C 187 and 1916 C 243; 1907 C 411 amended 1918 C 257 s 418 (law for State); 1906 C 489 amended 1918 C 257 s 419 (law applying to Boston).

⁶ *Missouri*. 1911 p 177 (law applying to counties of 50,000 or more); 1917 p 195 (law applying to counties of less than 50,000).

⁷ *New Jersey*. Compiled Statutes 1910 p 1887 ss 206, 207 amended 1916 C 212, 208-215 (general law for the State); 1912 C 353 amended 1918 C 81; 1918 C 82 (law for counties of the first class).

⁸ *New York*. Consolidated Laws 1909 C 40 (penal law) art 44 and 196 with amendments (law applying to whole State); 1910 C 659 amended 1911 C 721, 1913 C 691, 1915 C 531 (New York City); 1910 C 611 (Monroe County); 1913 C 270 (Ontario County); 1891 C 105 added to and amended by 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651, 1914 C 124, and 1917 C 571 (Buffalo); 1910 C 676 amended 1916 C 487 and 1917 C 112 (Syracuse); 1915 C 489 (Saratoga County).

⁹ *Ohio*. General Code 1910 ss 1639-1683 with amendments (State law); s 1523-1 added 1916 p 424 (Montgomery County); s 1532-2 added 1917 p 703 (Summit County); s 1532-4 added 1917 p 721 (Mahoning County); s 1683-14 added 1917 p 732 (Lucas County); s 1639 amended 1913 p 864 and 1914 p 176 (Hamilton County).

¹⁰ *Pennsylvania*. 1903 p 274 amended 1909 pp 89 and 119, 1911 pp 543 and 959, 1913 p 1039, and 1915 p 304 (State law); 1911 p 198 amended 1915 p 5 and 1917 p 19 (Allegheny County); 1913 p 711 amended 1915 pp 968 and 1017, and 1917 p 1015 (Philadelphia).

South Carolina,¹ Tennessee,² and Virginia³ there are several laws each operative over certain portions of the State.

In examining the several laws in detail, attention should be directed to the following points: (1) The court given jurisdiction, whether a court already existing or a specially created tribunal, and the character of the jurisdiction conferred; (2) the extent of the jurisdiction, whether over children or adults or both; (3) the preliminary procedure; (4) the special features of the hearing; (5) the nature of the disposition; (6) the relation of the court to the agencies with which the court cooperates; (7) the organization of the court; and (8) the principles in accordance with which the law should be applied. In the following analysis these topics are presented in considerable detail.

It should be said that the following analysis was completed during the first half of the year 1919 and refers to laws effective at the beginning of that year. Before the volume had issued from the press, however, the statutes enacted by the legislatures that sat that year became effective and have been summarized in an appendix. The main discussion is, however, of date prior to July 1, 1919.

ABBREVIATIONS USED IN REFERENCES.

[References giving chapter or number for a specified year are in every case to session laws of that year, unless otherwise indicated.]

A.....	act.
art.....	article.
C.....	chapter, chapters.
No.....	number.
P.....	page.
§.....	section.
ss.....	sections.
V.....	volume.

¹ *South Carolina*. 1912 No 429 (law for entire State); 1917 No 73 (law applying to counties of more than 20,000 and not more than 50,000).

² *Tennessee*. Public Acts 1911 C 58 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294; also partly superseded by 1917 C 120. (Covers State except counties from 70,000 to 90,000). Private Acts 1911 C 182 (Hamilton County); Private Acts 1913 C 277 amended 1915 C 292 (Knox County).

³ *Virginia*. 1914 C 350 (law for entire State); 1914 C 57 (act limited to cities of 50,000 or more).

A SUMMARY OF JUVENILE-COURT LEGISLATION IN THE UNITED STATES.

I. THE COURT GIVEN JURISDICTION.

In a few States a special juvenile court is created for the larger cities or counties. This is the case in Alabama,¹ Colorado,² Delaware,³ Georgia,⁴ Indiana,⁵ Louisiana,⁶ Massachusetts,⁷ New York,⁸ Tennessee,⁹ and Virginia.¹⁰ A special court is established in the District of Columbia,¹¹ and in Utah¹² one is provided for each judicial district.

In other districts of these States and in all other States jurisdiction is vested in courts already existing, usually with the provision that such court may be called the juvenile court when acting under the juvenile-court law.

Exclusive jurisdiction over juvenile cases is given to the special courts thus created and to designated courts¹³ in Arizona, Arkansas, California, Idaho, Kansas, Kentucky, Maryland, Michigan, Minnesota, Montana, Nevada, New Jersey, New Mexico, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Washington, and parts of Alabama, Colorado, Georgia, Illinois, Indiana, Louisiana, Missouri, Nebraska, New York, Ohio, Pennsylvania, Tennessee, and West Virginia. When concurrent jurisdiction is given to several or all of the courts in a community, it is doubtful whether the organization and procedure will be as uniform and intelligent. The law allows this, however, in Connecticut,¹⁴ Florida,¹⁵

¹ *Alabama*. Local Laws 1915 No 128 s 1; No 361 s 3. (Mobile and Jefferson Counties only.)

² *Colorado*. Revised Statutes 1908 s 1589. (Counties of 100,000 only.)

³ *Delaware*. Revised Code 1915 s 3827. (Law applies to Wilmington only.)

⁴ *Georgia*. 1915 No 210 amended 1916 No 575. (Counties of 60,000 population and between 35,000 and 60,000 if established by grand jury.)

⁵ *Indiana*. Burns' Annotated Statutes 1914 s 1630. (Counties containing a city of 100,000 population.)

⁶ *Louisiana*. Constitution 1913 art 118 ss 1-3. (Parish of Orleans only.)

⁷ *Massachusetts*. 1906 C 499 s 4 amended 1918 C 257 s 419. (Boston only.)

⁸ *New York*. 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 510, 1914 C 124, and 1917 C 571. (Buffalo only.)

⁹ *Tennessee*. Private Acts 1911 C 182; Private Acts 1913 C 277 amended 1915 C 292. (Hamilton and Knox Counties.)

¹⁰ *Virginia*. 1914 C 57 s 1. (In cities of over 50,000 population, a special juvenile and domestic relations court.)

¹¹ *District of Columbia*. 34 U.S. Statutes at Large p 73 s 1.

¹² *Utah*. 1913 C 54 s 1. (In each judicial district.)

¹³ For courts given this jurisdiction, see pp. 13, 14.

¹⁴ *Connecticut*. General Statutes 1918 ss 1856 and 1859. (Superior court, district court of Waterbury, courts of common pleas and police, town, city, or borough courts and justices of the peace.)

¹⁵ *Florida*. 1911 C 6216 ss 2 and 9 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332. (County court, justice of the peace, municipal court, or other court.)

Iowa,¹ Maine,² New Hampshire,³ North Carolina,⁴ Texas,⁵ Vermont,⁶ Wisconsin,⁷ and Wyoming,⁸ and in certain counties of Alabama,⁹ Delaware,¹⁰ Illinois,¹¹ Massachusetts,¹² Mississippi,¹³ Nebraska,¹⁴ New York,¹⁵ Ohio,¹⁶ Virginia,¹⁷ and West Virginia.¹⁸ In Ohio¹⁹ and Wisconsin,²⁰ however, the judges of the several courts having concurrent jurisdiction must designate one of their number to hear all juvenile cases.

The qualifications of the judges for this special task are of such importance in attaining the purpose of the juvenile-court law that it is essential to give jurisdiction to a court in which high character and training are required for the judges. This can seldom be attained by vesting jurisdiction in police judges or justices of the peace, as is done in Connecticut,²¹ Delaware,²² Florida,²³ Maine,²⁴ New Hampshire,²⁵ and Vermont,²⁶ and in certain jurisdictions of Mary-

¹ *Iowa*. Supplement to the Code 1913 ss 254-a13 and 260-a. (District courts and superior courts of city.)

² *Maine*. Revised Statutes 1916 C 64 s 53 amended 1917 C 297. (Municipal or police court and probate court for dependent and neglected children. Regular criminal courts for juvenile offenders.)

³ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 2) amended 1915 C 96 and 1917 C 74. (Police and justice courts.)

⁴ *North Carolina*. Public Laws 1915 C 222 s 2. (Recorder's courts, or like courts, and superior courts.)

⁵ *Texas*. Code of Criminal Procedure 1911 art 1198 amended 1913 C 112; 1917 C 93 p 252 amended 1918 C 14. (County and district courts and County Court at Law of El Paso County.)

⁶ *Vermont*. General Laws 1917 s 7324. (City and municipal courts and justices of the peace.)

⁷ *Wisconsin*. Statutes 1915 ss 573-2.1 and 573-2.2. (All courts of record.)

⁸ *Wyoming*. No juvenile-court law. Ordinary courts exercise jurisdiction.

⁹ *Alabama*. General Laws 1915 No 506 s 2. (Probate court and recorder's court where established, except in Mobile and Jefferson Counties.)

¹⁰ *Delaware*. Revised Code 1915 ss 2192-2213, 3823, 3824. (Outside Wilmington, court of general sessions, superior court, municipal court, and justice of the peace.)

¹¹ *Illinois*. Hurd's Revised Statutes 1917 C 23 ss 170 and 171. (Circuit and county courts in counties of less than 500,000 population.)

¹² *Massachusetts*. Revised Laws 1902 C 86 s 12; 1903 C 334 s 1 amended 1909 C 181; 1906 C 413 s 1 amended 1912 C 187 and 1916 C 243. (Police, district, and municipal courts and trial justices except in Boston, and probate judges except in Suffolk County and Boston.)

¹³ *Mississippi*. 1916 C 111 s 7. (Chancery or circuit court.)

¹⁴ *Nebraska*. Revised Statutes 1913 s 1245. (District courts—county courts in absence of district judge—and police judge in counties of 40,000 or more.)

¹⁵ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 494 added 1910 C 699; 1915 C 489 s 1. (Courts of special sessions, police, and city courts, except in New York City, Buffalo, Syracuse, Chautauqua County, Monroe County, and Ontario County. In Saratoga County the county court has concurrent jurisdiction.)

¹⁶ *Ohio*. General Code 1910 s 1639 amended 1913 p 864 and 1914 p 176. (Courts of common pleas, probate courts, insolvency and superior courts, except in Hamilton, Lucas, Mahoning, Montgomery, and Summit Counties.)

¹⁷ *Virginia*. 1914 C 350 s 1 and C 57 s 1. (Every court of record of criminal jurisdiction and police and justice courts, except in cities of 50,000 or more.)

¹⁸ *West Virginia*. 1915 C 70 s 2 and s 3 amended 1917 C 63. (Circuit courts and criminal courts, except in counties where a court of common pleas has exclusive jurisdiction.)

¹⁹ *Ohio*. General Code 1910 s 1639 amended 1913 p 864 and 1914 p 176.

²⁰ *Wisconsin*. Statutes 1915 s 573-2.1.

²¹ *Connecticut*. General Statutes 1918 s 1856.

²² *Delaware*. Revised Code 1915 ss 2203-2213. (Outside Wilmington.)

²³ *Florida*. 1911 C 6216 s 2 and s 9 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332.

²⁴ *Maine*. Revised Statutes 1916 C 64 s 53 amended 1917 C 297.

²⁵ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 2) amended 1915 C 96 and 1917 C 74.

²⁶ *Vermont*. General Laws 1917 s 7324.

land,¹ Massachusetts,² Nebraska,³ New York,⁴ Pennsylvania,⁵ and Virginia.⁶ Other States definitely provide that such courts shall not have jurisdiction and require the immediate transfer of juvenile cases that happen to be brought before them.⁷

Jurisdiction is given to the county court in Arkansas,⁸ Kentucky,⁹ Oklahoma,¹⁰ Oregon,¹¹ South Dakota,¹² and certain counties in Colorado,¹³ New Jersey,¹⁴ New York,¹⁵ Pennsylvania,¹⁶ Tennessee,¹⁷ and Texas;¹⁸ to the district court in Montana,¹⁹ Nevada,²⁰ New Mexico,²¹ North Dakota,²² Rhode Island,²³ and in some districts in Louisiana,²⁴ Minnesota,²⁵ and Nebraska;²⁶ to the superior court in Arizona,²⁷ California,²⁸ Washington,²⁹ and certain counties of Georgia;³⁰ to the court of common pleas in certain counties in Ohio,³¹ New

¹ *Maryland*. 1916 C 326 ss 2 and 14; Code of Public Local Laws art 4 s 623A amended 1902 C 611, 1904 C 521, and 1910 C 41. (Baltimore City by statutory provision and other areas in which the circuit court judges have not designated one of their number under the 1916 statute.)

² *Massachusetts*. Revised Laws 1902 C 86 s 12; 1906 C 413 s 1 amended 1912 C 187 and 1916 C 243; 1903 C 334 s 1 amended 1909 C 181. (Outside Boston.)

³ *Nebraska*. Revised Statutes 1913 s 1245. (In cities of 40,000 or more. But see *State v. Bryant*, 94 Nebr. 754.)

⁴ *New York*. Consolidated Laws C 40 (Penal) art 44 s 494 added 1910 C 699; 1915 C 489 s 1. (Except in New York City, Buffalo, Syracuse, Chautauqua County, Monroe County, and Ontario County.)

⁵ *Pennsylvania*. 1903 p 274 s 1. (Quarter sessions of the peace outside Philadelphia and Allegheny County.)

⁶ *Virginia*. 1914 C 350 s 1 and C 57 s 1. (Except in cities of over 50,000 population.)

⁷ Alabama, Arizona, Arkansas, California, Colorado, District of Columbia, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Jersey, New York (Monroe and Ontario Counties and New York City only), North Dakota, Ohio, Oregon, South Dakota, Tennessee, Texas, Washington, West Virginia, and Wisconsin.

⁸ *Arkansas*. 1911 A 215 amended 1917 A 420.

⁹ *Kentucky*. Carroll's Statutes 1915 s 331c. 2.

¹⁰ *Oklahoma*. Revised Laws 1910 ss 4413 and 4414.

¹¹ *Oregon*. Lord's Oregon Laws 1910 s 4407 amended 1915 C 147.

¹² *South Dakota*. 1915 C 119 ss 2 and 3.

¹³ *Colorado*. Revised Statutes 1908 ss 587 and 1549. (Outs de Denver.)

¹⁴ *New Jersey*. 1912 C 353 s 1; 1918 C 82. (In Essex and Hudson Counties only.)

¹⁵ *New York*. 1913 C 270 s 1; 1910 C 611 s 1; 1918 C 464. (Ontario, Monroe, and Chautauqua Counties only.)

¹⁶ *Pennsylvania*. 1911 p 198 amended 1915 p 5 ss 1 and 2 and 1917 p 19. (Allegheny County only.)

¹⁷ *Tennessee*. Public Acts 1911 C 58 ss 2 and 3 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294. (Counties less than 33,600, between 33,700 and 70,000, and from 90,000 to 148,000.)

¹⁸ *Texas*. 1917 C 93 p 252 amended 1918 C 14. (County Court at Law in El Paso County.)

¹⁹ *Montana*. 1911 C 122 s 3.

²⁰ *Nevada*. Revised Laws 1912 ss 729 and 730.

²¹ *New Mexico*. 1917 C 4 s 2.

²² *North Dakota*. Compiled Laws 1913 s 11403.

²³ *Rhode Island*. 1915 C 1185 s 2 amended 1917 C 1546.

²⁴ *Louisiana*. Constitution 1913 art 118 ss 1-3. (Outside Parish of Orleans.)

²⁵ *Minnesota*. 1917 C 397 s 2. (Counties over 33,000.)

²⁶ *Nebraska*. Revised Statutes 1913 s 1245. (Counties less than 40,000 population.)

²⁷ *Arizona*. Revised Statutes 1913 (Civil Code) s 3562.

²⁸ *California*. 1915 C 631 s 16 amended 1917 C 627 and C 634.

²⁹ *Washington*. 1913 C 160 s 2.

³⁰ *Georgia*. 1915 No 210 amended 1916 No 575. (In counties of less than 35,000 and between 35,000 and 60,000 where no special court is established, the judge of the superior court shall designate an existing court of record.)

³¹ *Ohio*. General Code 1910 s 1532-1 added 1916 p 424, s 1532-2 added 1917 p 703, s 1532-4 added 1917 p 721, and s 1639 amended 1913 p 864 and 1914 p 176. (Hamilton, Mahoning, Montgomery, and Summit Counties only.)

Jersey,¹ and West Virginia;² to the circuit court in Mississippi,³ and in designated counties in Illinois,⁴ Indiana,⁵ Maryland,⁶ and Missouri;⁷ to the probate court in Idaho,⁸ Kansas,⁹ Michigan,¹⁰ and part of Alabama,¹¹ Minnesota,¹² and South Carolina;¹³ to the criminal court in certain counties in Missouri;¹⁴ to courts of special sessions in certain jurisdictions in New York;¹⁵ to recorder's courts in special counties of South Carolina;¹⁶ to the municipal court in Philadelphia;¹⁷ to the city judge of the county seat in certain counties in Tennessee;¹⁸ and to the court of domestic relations in Lucas County, Ohio.¹⁹

In order to secure continuity and intelligence in dealing with juvenile offenders, it is necessary not only that the court have exclusive jurisdiction but that a single judge be appointed to hold court for a time sufficient for him to become familiar with the probation office and with the needs of the children brought before him. In some States a rotation of judges is allowed; but in California,²⁰ Maryland,²¹ Missouri,²² Montana,²³ Nebraska,²⁴ Ohio,²⁵ Pennsylvania,²⁶ Washington,²⁷ and Wisconsin,²⁸ and in certain counties in Illinois,²⁹ Iowa,³⁰ Minnesota,³¹ and New York,³² a particular judge is selected by his associates to hear only juvenile cases.

¹ *New Jersey*. Compiled Statutes 1910 p 1887 s 207 amended 1916 C 212. (Outside Essex and Hudson Counties.)

² *West Virginia*. 1915 C 70 s 2 and s 3 amended 1917 C 63. (In counties where such court is established.)

³ *Mississippi*. 1916 C 111 s 7. (Chancery or circuit judge.)

⁴ *Illinois*. Hurd's Revised Statutes 1917 C 23 ss 170 and 171. (Counties of over 500,000 population.)

⁵ *Indiana*. Burns' Annotated Statutes 1914 s 1630. (Counties not containing city of 100,000.)

⁶ *Maryland*. 1916 C 326 s 14. (Outside the city of Baltimore, established at discretion of circuit judges.)

⁷ *Missouri*. 1911 p 177 s 2; 1917 p 195 s 2. (All counties not containing a city of the first class.)

⁸ *Idaho*. 1911 C 159 s 153 amended 1917 C 84.

⁹ *Kansas*. General Statutes 1915 s 3065 amended 1917 C 154.

¹⁰ *Michigan*. Compiled Laws 1915 s 2012.

¹¹ *Alabama*. General Laws 1915 No. 506 s 2. (Outside Mobile and Jefferson Counties, except in cities having recorder's courts.)

¹² *Minnesota*. 1917 C 397 s 2. (Counties 33,000 and less.)

¹³ *South Carolina*. 1912 No 429 s 1. (Except in counties of 20,000 to 50,000.)

¹⁴ *Missouri*. 1911 p 177 s 2. (Counties containing a city of the first class.)

¹⁵ *New York*. 1910 C 659 s 34-a added by 1915 C 531; 1910 C 676 amended 1916 C 487 s 1 and 1917 C 112. (New York City and Syracuse only.)

¹⁶ *South Carolina*. 1917 No 73 s 1. (Counties having more than 20,000 but not more than 50,000.)

¹⁷ *Pennsylvania*. 1913 p 711 s 8 amended 1915 p 988, 1915 p 1017, and 1917 p 1015 No 328. (In Philadelphia only.)

¹⁸ *Tennessee*. Public Acts 1911 C 58 s 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. (Counties of 148,000 or over and those not less than 33,600 nor over 33,700.)

¹⁹ *Ohio*. General Code 1910 s 1683-14 added 1917 p 732.

²⁰ *California*. 1915 C 631 s 16 amended 1917 C 627 and C 634.

²¹ *Maryland*. 1916 C 326 s 1.

²² *Missouri*. 1911 p 177 s 2.

²³ *Montana*. 1911 C 122 s 12.

²⁴ *Nebraska*. Revised Statutes 1913 s 1246.

²⁵ *Ohio*. General Code 1910 s 1639 amended 1913 p 864 and 1914 p 176.

²⁶ *Pennsylvania*. 1903 p 274 s 1; 1913 p 711 s 8 amended 1915 p 988, 1915 p 1017, and 1917 p 1015; 1911 p 198 amended 1915 p 5 and 1917 p 19.

²⁷ *Washington*. 1913 C 160 s 2.

²⁸ *Wisconsin*. Statutes 1915 s 573-2.1.

²⁹ *Illinois*. Hurd's Revised Statutes 1917 C 23 ss 170 and 171. (Applies to counties over 500,000.)

³⁰ *Iowa*. 1917 C 405 s 1. (Applies to counties of 100,000 or over.)

³¹ *Minnesota*. 1917 C 397 s 3. (Counties having more than 33,000.)

³² *New York*. 1910 C 659 s 34-c to 34-e added 1915 C 531. (Applies to New York City. Presiding judge appointed by the mayor.)

II. EXTENT OF JURISDICTION.

A. OVER CHILDREN.

1. Age limitation.

The jurisdiction of the juvenile court in 14 States extends to children under 16 years of age. These are Alabama,¹ Colorado,² Georgia,³ Indiana,⁴ Iowa,⁵ Kansas,⁶ New Jersey,⁷ New Mexico,⁸ New York,⁹ Oklahoma,¹⁰ Pennsylvania,¹¹ Rhode Island,¹² Tennessee,¹³ and Vermont.¹⁴ In 13 States—Arkansas,¹⁵ Delaware,¹⁶ Florida,¹⁷ Illinois,¹⁸ Kentucky,¹⁹ Louisiana,²⁰ Massachusetts,²¹ Michigan,²² Missouri,²³ Montana,²⁴ New Hampshire,²⁵ Texas,²⁶ and Wisconsin²⁷—and the District of Columbia,²⁸ jurisdiction is extended to 17 years, and in 17 States—Arizona,²⁹ Connecticut,³⁰ Idaho,³¹ Minnesota,³² Mississippi,³³ Nebraska,³⁴ Nevada,³⁵ North Carolina,³⁶ North Dakota,³⁷

¹ *Alabama*. General Laws 1915 No 506 s 1. (In Jefferson County, girls under 18.)

² *Colorado*. Revised Statutes 1908 s 586. (Delinquent girl under 18.)

³ *Georgia*. 1915 No 210 s 2 amended 1916 No 575.

⁴ *Indiana*. Burns' Annotated Statutes 1914 s 1630. (Delinquent girl under 18, dependent boy or girl under 17.)

⁵ *Iowa*. Supplement 1913 s 254-a14.

⁶ *Kansas*. General Statutes 1915 s 3065 amended 1917 C 154.

⁷ *New Jersey*. Compiled Statutes 1910 p 1887 s 206; 1912 C 353 amended 1918 C 81; 1918 C 82.

⁸ *New Mexico*. 1917 C 4 s 2.

⁹ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 485 amended 1916 C 278; s 486 amended 1912 C 169, 1915 C 480, and 1917 C 430; 1910 C 611 s 2; 1913 C 270 s 2; 1918 C 464 s 1.

¹⁰ *Oklahoma*. Revised Laws 1910 s 4412.

¹¹ *Pennsylvania*. 1903 p 274 s 1; 1913 p 711 s 11 amended 1915 p 988, 1915 p 1017, and 1917 p 1015.

¹² *Rhode Island*. 1916 C 1185 s 1 amended 1917 C 1546. (Wayward and dependent under 17.)

¹³ *Tennessee*. Public Acts 1911 C 58 s 1 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294; 1917 No 120 p 355.

¹⁴ *Vermont*. General Laws 1917 s 7323.

¹⁵ *Arkansas*. 1911 A 215 s 1 amended 1917 A 420. (Girl under 18.)

¹⁶ *Delaware*. Revised Code 1915 ss 3827-3828. (Applies to Wilmington. Girl under 18.)

¹⁷ *Florida*. 1911 C 6216 s 1 amended 1913 C 6494, 1915 C 6019, and 1917 C 7332.

¹⁸ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 169. (Girl under 18.)

¹⁹ *Kentucky*. Carroll's Statutes 1915 s 331e.1. (Girl under 18.)

²⁰ *Louisiana*. Constitution 1913 art 118 s 3.

²¹ *Massachusetts*. 1906 C 413 s 1 amended 1912 C 187 and 1916 C 243. (Neglected under 16.)

²² *Michigan*. Compiled Laws 1915 ss 2011 and 2017.

²³ *Missouri*. 1917 p 195 s 1.

²⁴ *Montana*. 1911 C 122 s 2. (Dependent under 16.)

²⁵ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 1) amended 1915 C 96 and 1917 C 74.

²⁶ *Texas*. Code of Criminal Procedure 1911 art 1197 amended 1913 C 112 and 1918 C 26. (Girl under 18. Dependent and neglected children under 16.)

²⁷ *Wisconsin*. Statutes 1915 s 673-1. (Girl under 18.)

²⁸ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 8.

²⁹ *Arizona*. Revised Statutes 1913 (Civil Code) s 3562.

³⁰ *Connecticut*. 1917 C 308 s 4.

³¹ *Idaho*. 1911 C 159 s 152 amended 1917 C 84.

³² *Minnesota*. 1917 C 397 s 1.

³³ *Mississippi*. 1916 C 111 s 6.

³⁴ *Nebraska*. Revised Statutes 1913 s 1263.

³⁵ *Nevada*. Revised Laws 1912 s 728.

³⁶ *North Carolina*. Public Laws 1915 C 222 s 2.

³⁷ *North Dakota*. Compiled Laws 1913 s 11402.

Ohio,¹ Oregon,² South Carolina,³ South Dakota,⁴ Utah,⁵ Virginia,⁶ Washington,⁷ and West Virginia⁸—to 18 years. In Maryland⁹ the limitation is extended to 18 for girls and 20 for boys, and in California¹⁰ to 21 for both boys and girls. A number of States¹¹ provide that jurisdiction once obtained over any minor may continue beyond these age limits, usually until he reaches 21.

2. Classes of cases included.

The laws in a few States¹² contain no definition of the groups of children over whom the court is to exercise jurisdiction but merely define the specific offenses for which a child may be brought into court. These are simple amendments to the criminal code. In most States, however, these definitions are divided into broader classifications of delinquent and dependent or neglected. Truants are included in these classes or added to them in more than one-half of the States;¹³ children found violating the child-labor law in a few States;¹⁴ and physical or mental defectives in California,¹⁵ Iowa,¹⁶ Maryland,¹⁷ and Minnesota.¹⁸

In Colorado¹⁹ an appeal from the refusal of an officer to grant a work permit to a child may be taken to the juvenile court. An oath may be administered and an age certificate issued by the court.

¹ Ohio. General Code ss 1642 and 1643 amended 1913 p 864.

² Oregon. Lord's Oregon Laws 1910 s 4406.

³ South Carolina. 1917 No 73 s 1; 1912 No 429 s 1.

⁴ South Dakota. 1915 C 119 s 1.

⁵ Utah. 1913 C 54 s 2.

⁶ Virginia. 1914 C 57. (Dependent under 16.)

⁷ Washington. 1913 C 160 s 1.

⁸ West Virginia. 1915 C 70 s 1 amended 1917 C 63.

⁹ Maryland. 1916 C 326 s 2. (In Baltimore under 16.)

¹⁰ California. 1915 C 631 ss 1 and 5 amended 1917 C 627 and C 634.

¹¹ Alabama. General Laws 1915 No 506. Arizona. Revised Statutes 1913 (Civil Code) s 3570. Arkansas. 1911 A 215 s 9 amended 1917 A 420. Kansas. General Statutes 1915 s 3066; s 3065 amended 1917 C 154. Massachusetts. 1907 C 411 amended 1918 C 257 s 418. (Continues to 18.) Missouri. 1911 p 177 s 1; 1917 p 195 s 1. Montana. 1911 C 122 s 2 (Continues until court otherwise decrees.) New Jersey. 1918 C 82. (Counties of the first class. Continues for period of commitment or probation.) New York. 1910 C 611 s 7; 1918 C 464. (Monroe and Chautauqua Counties.) Ohio. General Code 1910 ss 1642 and 1643 amended 1913 p 864. Oklahoma. Revised Laws 1910 s 4424. Pennsylvania. 1903 p 274 s 8 amended 1909 p 119. Rhode Island. 1915 C 1185 s 10. Tennessee. Public Acts 1911 C 58 s 1 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. Vermont. General Laws 1917 s 7323. (Until boy 21 or girl 18.)

¹² Alabama. General Laws 1915 No 506 s 1. California. 1915 C 631 ss 1 and 5 amended 1917 C 627 and C 634. Connecticut. General Statutes 1918 s 1856. (No definition—all complaints against children.) Delaware. Revised Code 1915 ss 2192-2213, 3822, 3823, 3824. (Outside Wilmington.) District of Columbia. U. S. Revised Statutes Supplement 1891 C 58 p 474; Supplement 1901 C 250 p 48 and C 847 p 1544; 34 U. S. Statutes at Large p 73 s 8; 35 U. S. Statutes at Large p 420 s 17. Georgia. 1915 No 210 s 2 amended 1916 No 575. New Jersey. Compiled Statutes 1910 p 1887 s 206 and p 1889 s 217. (Applies to State outside Essex and Hudson Counties.) New York. Consolidated Laws C 40 (Penal) art 44 s 485 amended 1916 C 278; s 486 amended 1912 C 169, 1915 C 480, and 1917 C 430; s 2186; 1910 C 659 s 37 amended 1911 C 721, 1913 C 691, and 1915 C 531; 1910 C 611 s 2; 1913 C 270 s 2; 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 510, 1914 C 124, and 1917 C 571; 1918 C 464 s 1. South Carolina. 1912 No 429 s 1; 1917 No 73 s 1.

¹³ Arkansas, California, Colorado, Delaware, District of Columbia, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Jersey, New York, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, and Wisconsin.

¹⁴ Arizona, Delaware, District of Columbia, Kentucky, Maryland, New York, Ohio, Oregon, Rhode Island, South Carolina, Texas, and Utah.

¹⁵ California. 1915 C 631 s 1 amended 1917 C 627 and C 634.

¹⁶ Iowa. Supplemental Supplement 1915 ss 254-b to 254-l.

¹⁷ Maryland. 1916 C 326 s 1.

¹⁸ Minnesota. 1917 C 397 s 1.

¹⁹ Colorado. 1911 C 95 ss 8 and 15.

In Wisconsin¹ the juvenile court issues working permits at the request of the industrial commission.

In Arizona² the juvenile court may issue letters of adoption for a child under its jurisdiction, and in Ohio³ for an inmate of a maternity boarding house.

3. Definition of delinquency.

Before the enactment of juvenile-court legislation the courts dealt only with those juvenile offenders who were charged with (1) violating a State law or local ordinance; (2) committing a criminal offense; or (3) being incorrigible. This is still the situation in Connecticut,⁴ Delaware,⁵ the District of Columbia,⁶ Georgia,⁷ Mississippi,⁸ New Jersey,⁹ and Pennsylvania.¹⁰ A step in advance is made by the New York law,¹¹ which provides that "a child of more than 7 and less than 16 years of age, who shall commit any act or omission which if committed by an adult would be a crime not punishable by death or life imprisonment, shall not be deemed guilty of any crime but of juvenile delinquency only."

Many laws, however, formulate a more inclusive definition of delinquency in order that the court may not be prevented by the lack of technical jurisdiction from assuming the care of any child. Most States¹² now consider as delinquent any child who (1) violates

¹ *Wisconsin*. Statutes 1915 s 1728a-1 amended 1917 C 674.

² *Arizona*. Revised Statutes (Civil Code) 1913 s 3565.

³ *Ohio*. General Code 1910 s 6272.

⁴ *Connecticut*. General Statutes 1918 s 1854. (All complaints against children.)

⁵ *Delaware*. Revised Code 1915 ss 2192-2213, 3822, 3824. (Criminal offenses, vagrancy, and incorrigibility.)

⁶ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 8. (All crimes and offenses, not capital and not punishable by death or life imprisonment; habitual truancy also.)

⁷ *Georgia*. 1915 No 210 s 2 amended 1916 No 575. (Offenses that would be punished in an adult.)

⁸ *Mississippi*. 1916 C 111 s 6. (Violation of municipal ordinance or State law.)

⁹ *New Jersey*. Compiled Statutes 1910 p 1887 s 206. (Child charged with crime except murder or manslaughter, or being incorrigible. Adds disorderly and vagrant. For Essex and Hudson Counties see below.)

¹⁰ *Pennsylvania*. 1908 p 274 s 1. (Incorrigible and charged with violation of the law.)

¹¹ *New York*. 1909 C 478. (In addition "disorderly and ungovernable children" who desert their homes without cause, associate with dissolute, immoral, or vicious persons, or are not susceptible of proper control. Consolidated laws C 40 (Pena) s 494 (7).)

¹² *Arkansas*. 1911 A 215 amended 1917 A 420. Definition omits (9) and (12). *Colorado*. Revised Statutes 1908 s 586. Omits (10) and (12). *Delaware*. Revised Code 1915 s 3829. (Applies to city of Wilmington.) In addition, habitual smoking of cigarettes and violation of child-labor law. *Florida*. 1911 C 6216 s 1 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332. Omits (7), (8), (9), (10), and (11). *Idaho*. 1911 C 159 art 17 s 152 amended 1917 C 84. Omits (10) and (12). *Illinois*. Hurd's Revised Statutes 1917 C23 s 169. Omits (12). *Indiana*. Burns' Annotated Statutes Supplement 1918 s 1641. Omits (6), (10), (12). In addition, smoking of cigarettes and loitering about school building or yard. *Iowa*. Supplement 1913 s 254-a14. Omits (7), (9), (10), (11), and (12). *Kansas*. General Statutes 1915 s 3066. Omits (6) to (12) inclusive. *Kentucky*. Carroll's Statutes 1915 s 331e. *Louisiana*. Constitution 1913 art 118 s 3. Omits (7). In addition, begging, receiving alms or peddling or playing a musical instrument in a public place or accompanying anyone so doing. *Maryland*. 1916 C 326 s 1. Omits (6), (7), (8), (9), (10), and (12). *Massachusetts*. Revised Laws 1902 C 86 s 24; 1906 C 413 s 1 amended 1912 C 187 and 1916 C 243. Omits (5) to (11) inclusive. In addition, vagrant. *Michigan*. Compiled Laws 1915 s 2011. *Minnesota*. 1917 C 397 s 1. Omits (4) to (8) inclusive. In addition, knowingly visits any place where his presence is permitted in violation of the law. *Missouri*. 1911 p 177 s 1 and 1917 p 195 s 1. *Montana*. 1911 p 122 s 1. Omits (10) and (12). *Nebraska*. Revised Statutes 1913 s 1244. Omits (10). *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 1) amended 1915 C 96 and 1917 C 74. Omits (7), (8), (9), (10), (11), and (12). *New Jersey*. 1912 C 353 s 5 amended 1918 C 81. (Counties of the first class.) Omits (6), (8), (9),

a law or local ordinance (except crimes punishable by death or life imprisonment); (2) is incorrigible; (3) associates with thieves, criminals, prostitutes, vagrants, or vicious persons; (4) is growing up in idleness or crime; (5) knowingly visits a saloon, pool room, billiard room, or gambling place; (6) knowingly visits a house of ill-fame; (7) wanders about the streets at night; (8) wanders about railroad yards, jumps on moving trains, or enters any car or engine without authority; (9) habitually uses or writes vile, indecent, or obscene language; (10) absents himself from home without just cause or without the consent of parent or guardian; (11) is immoral or indecent; or (12) is an habitual truant.

In Arizona¹ only (1) and (2) are included in the definitions of delinquent, and in Washington² only (1), (8), and (9); but in these States children committing other offenses are considered as dependent rather than delinquent. In Nevada³ the law defines as delinquent a child who violates any law of the State or any ordinance of a city, town, or county. In addition, a child who commits any of the offenses enumerated above—from (2) to (11), inclusive—or is living under conditions that in most States would render him dependent, is considered as both dependent and delinquent.

In Alabama,⁴ California,⁵ and South Carolina,⁶ while the law formulates no definition of delinquency but enumerates specific offenses for which a child may be brought to court, most of the provisions given above are included.

and (10). In addition, one who is vagrant or disorderly or commits a crime except murder or manslaughter. *New Mexico*. 1917 C 4 s 1. Omits (10). *North Carolina*. Public Laws 1915 C 222 s 1. Includes only (1), (2), and (4), and wayward, unruly, and misdirected. *North Dakota*. Compiled Laws 1913 s 11403. Omits (12). In addition, habitual smoking of cigarettes, use of narcotic drugs, frequenting of place where indecent exhibitions are displayed. *Oklahoma*. Revised Laws 1910 s 4412. Omits (12). In addition, use of intoxicating liquor, injurious drugs, or cigarettes. *Oregon*. Lord's Oregon Laws 1910 s 4406. Omits (7) to (11) inclusive. *Rhode Island*. 1915 C 1185 s 1 amended 1917 C 1546. Omits (5), (6), (7), (8), (9), (11), and (12). *South Dakota*. 1915 C 119 s 1. Omits (7). In addition, habitual smoking of cigarettes, drinking of intoxicating liquor in public place or school house, visiting with one of opposite sex any restaurant or place where liquors are sold after 9 o'clock, or being found in private apartment or room of restaurant, lodging house, hotel or other place at night alone with one of the opposite sex. *Tennessee*. Public Acts 1911 C 58 s 1 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294; 1917 No 120 p 355. Omits (10). *Texas*. Code of Criminal Procedure 1911 Art 1197 amended 1913 C 112 and 1918 C 26. Omits (4), (6), (7), and (10). *Utah*. 1913 C 54 s 16. Omits (10) and (12). *Vermont*. General Laws 1917 s 7323. Omits (8) and (10). *Virginia*. 1914 C 350 s 1. Omits (8) and (10). In addition, use of intoxicating liquor or drugs. *West Virginia*. 1915 C 70 s 1 amended 1917 C 63. Omits (6) and (12). *Wisconsin*. Statutes 1915 C 30a s 573-1. Omits (7) and (10). *Wyoming*. 1915 C 99 s 2. Includes only (1) to (4) and victim of vicious habits.

¹ *Arizona*. Revised Statutes 1913 (Civil Code) s 3562. (See definition of dependency.)

² *Washington*. 1913 C 160 s 1. (See definition of dependency.)

³ *Nevada*. Revised Laws 1912 s 728. Omits (12). (In addition, see definition of dependency.)

⁴ *Alabama*. General Laws 1915 No 506 s 1. Omits (6), (10), and (12). In addition, a child who habitually smokes cigarettes, is in possession of pistol, dirk, bowie knife, or metal knuckles. Local Laws 1915 No 123, applying only to Mobile County, adds habitual begging. Local Laws 1915 No 361, applying only to Jefferson County, includes only (1).

⁵ *California*. 1915 C 631 s 1 amended 1917 C 627 and C 634. Omits (6) to (10) inclusive. Adds vagrant.

⁶ *South Carolina*. 1912 No 429 s 1 and 1917 No 73 s 1. Omits (5) to (10) inclusive.

4. Definition of dependency and neglect.

The dependent or neglected child is usually defined¹ as one who is (1) destitute, (2) homeless, (3) abandoned, (4) dependent upon the public for support, (5) without proper parental care or guardianship, (6) begging or receiving alms, (7) found living in a house of ill fame or with a vicious or disreputable person, (8) in a home unfit because of neglect, cruelty, or depravity on the part of the parents, (9) peddling or playing a musical instrument or singing in a public place, (10) in surroundings dangerous to morals, health, or general welfare or such as to warrant the State in assuming guardianship.

¹ *Arizona*. Revised Statutes 1913 (Penal Code) s 255. Omits (4) and (9). In addition, one who visits saloon, billiard room or pool room, without parent or guardian; is incorrigible, habitually uses intoxicating liquor, smokes cigarettes, or uses drugs; or is vagrant, frequents company of criminals, vagrants, or prostitutes, or is over fourteen and refuses to attend school as directed by parent or guardian. *Arkansas*. 1911 A 215 s 1 amended 1917 A 420. Omits (10). *Colorado*. Revised Statutes 1908 s 552. Omits (9). *Delaware*. Revised Code 1915 s 3829. Applies to Wilmington. Includes only (1), (2), (6), and (8). *Florida*. 1911 C 6216 s 1 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332. Omits (7) and (10). *Idaho*. 1909 p 38 No 267 s 2 amended 1911 C 185 and C 193. Omits (7) and (10). *Illinois*. Hurd's Revised Statutes 1917 C 23 s 189. Omits (10). *Indiana*. Burns' Annotated Statutes 1914 ss 1642 and 1643. Omits (9). In addition, one who is employed in a saloon. *Iowa*. Supplement 1913 s 254-a14. *Kansas*. General Statutes 1915 s 3066. Omits (10). In addition, idle or immoral habits. *Kentucky*. Carroll's Statutes 1915 s 331e.1. Omits (10). *Louisiana*. Constitution 1913 art 118 s 3. Omits (2), (3), (6), (7), (9), and (10). In addition, wandering about streets at night without lawful business. *Maryland*. 1916 C 326 s 1. Omits (9) and (10). In addition, truant and feeble-minded or otherwise mentally deficient. *Massachusetts*. 1903 C 334 amended 1909 C 181. Includes (4), (5), (8), and (10). *Michigan*. Compiled Laws 1915 s 2011. Omits (10). In addition, illegitimate. *Minnesota*. 1917 C 397 s 1. Omits (1), (2), (4), and (10). In addition, mental defective, illegitimate, and one whose parents desire (for good cause) to be relieved of care and custody. *Mississippi*. 1916 C 111 s 6. Includes only (1), (2), (3), and (10). *Missouri*. 1911 p 177 s 1 and 1917 p 195 s 1. Omits (5) and (10). *Montana*. Revised Code 1907 s 7829. Omits (3), (9), and (10). *Nebraska*. Revised Statutes 1913 s 1244. *Nevada*. Revised Laws 1912 s 728. Omits (10). In addition, all provisions enumerated under definition of delinquency except violation of State law or ordinance of city, town, or county. *New Hampshire*. Public Statutes Supplement 1913 C 86 (Laws 1907 C 125 s 1) amended 1915 C 96 and 1917 C 74. Omits (9) and (10). *New Mexico*. 1917 C 85 s 2. Omits (9) and (10). *North Carolina*. Public Laws 1915 C 222 s 1. Includes only (1), (2), (3), and (10). *North Dakota*. Compiled Laws 1913 s 11403. Omits (10). *Ohio*. General Code 1910 s 1645 amended 1913 p 864 and 1915 p 458. Omits (9). In addition, one given away or disposed of in employment, service, or occupation contrary to laws of State. *Oklahoma*. Revised Laws 1910 s 4412. Omits (10). *Oregon*. Lord's Oregon Laws 1910 ss 4406, 4425, and 4426. Omits (10). In addition, participating in public entertainment without permission of juvenile-court judge. *Pennsylvania*. 1903 p 274 s 1. Includes only (1) to (5). *Rhode Island*. General Laws 1909 C 139 s 1 and C 140 s 1. Includes only (3), (5), (6), and (8). In addition, one whose life or health is endangered by occupation in which it is permitted to engage, compelled to do wanton or improper acts or allowed to steal. *South Dakota*. 1915 C 119 s 1. Omits (1) and (10). In addition, orphan, child who frequents company of reputed thieves or prostitutes, or in possession of any person not the parent or lawful guardian or next of kin. *Tennessee*. Public Acts 1911 C 58 s 1 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. Omits (10). *Texas*. Revised Civil Statutes 1911 art 2184. Omits (9) and (10). In addition, one whose parent permits it to become addicted to the use of intoxicating liquors. *Utah*. Compiled Laws 1907 s 720x24 amended 1909 C 123; 1913 C 54 s 2. Omits (9). In addition, frequents saloon or place where intoxicating drink is sold or is wandering about late at night, or sleeping at night in the open air. *Vermont*. General Laws 1917 s 7323. Omits (9). *Virginia*. 1914 C 350 s 1. Omits (9) and (10). *Washington*. 1913 C 160 s 1. Omits (3) and (4). In addition, is vagrant, frequenting company of reputed criminals, vagrants or prostitutes, visits pool room, billiard room or saloon, is incorrigible or truant or uses intoxicating liquors, tobacco or drugs. *West Virginia*. 1915 C 70 s 1 amended 1917 C 63. Omits (10). *Wisconsin*. Statutes 1915 C 30a s 573-1. Omits (10). *Wyoming*. 1915 C 99 s 1. Includes only (1), (3), (4), (5), (6).

Alabama,¹ California,² the District of Columbia,³ Georgia,⁴ New York,⁵ and South Carolina⁶ do not define dependency but include some of these provisions in specifying the classes of children who may be brought into court. The New Jersey⁷ law does not define dependency, although dependent children may be committed by the juvenile court to certain schools for dependent and delinquent children.

In an act establishing temporary county homes for dependent and neglected children, Connecticut⁸ includes waifs; strays; children in charge of overseers of the poor; children of prisoners, drunkards, or paupers, and of others committed to hospitals, almshouses, or workhouses; and all children (between 4 and 18) deserted, neglected, cruelly treated, or dependent, or living in any disorderly house, or other house reputed to be a house of ill fame or assignation.

Maine⁹ provides for the commitment of children who are cruelly treated or willfully neglected by their parents; not provided with suitable food, clothing, or the privileges of education; kept at or allowed to frequent any disorderly house, house of ill fame, gambling place, or place where intoxicating liquors are sold, or other place injurious to health or morals; and orphans without means of support.

5. Discretion of the court in case of crime.

In dealing with the child who is charged with a felony or a crime punishable by death or by life imprisonment, the legislatures of most States have refused to apply the essential principles of juvenile-court legislation. In the District of Columbia,¹⁰ Georgia,¹¹ Iowa,¹² Louisiana,¹³ Massachusetts,¹⁴ New Jersey,¹⁵ New York,¹⁶ Utah,¹⁷ and Vermont,¹⁸ the

¹ *Alabama*. General Laws 1915 No 506 s 1. Includes (10) only.

² *California*. 1915 C 631 s 1 amended 1917 C 627 and C 634. Omits (4), (7), and (9). In addition, is vagrant, frequents company of criminals, vagrants, or prostitutes; visits billiard rooms or pool rooms, saloon, etc.; uses intoxicating liquors or drugs, or smokes cigarettes; is insane, feeble-minded or mentally deficient.

³ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 8. Includes (1), (3), (6), (7), and (8), and incorrigible.

⁴ *Georgia*. 1915 No 210 s 2 amended 1916 No 575. Includes (1) only.

⁵ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 485 amended 1916 C 278; s 486 amended 1912 C 169, 1915 C 480, and 1917 C 430. Omits (1), (3), (4), and (10). In addition, one who frequents company of thieves or prostitutes, or is employed as ropewalker, gymnast, circus performer, etc.; or in illegal or indecent exhibition.

⁶ *South Carolina*. 1912 No 429 s 1; 1917 No 73 s 1. Includes only (1), (2), (6), and (8). In addition, child required to work contrary to law or in an unreasonable degree.

⁷ *New Jersey*. 1913 C 340.

⁸ *Connecticut*. General Statutes 1918 s 1766.

⁹ *Maine*. Revised Statutes 1916 C 64 s 53 amended 1917 C 297.

¹⁰ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 8. (Excludes jurisdiction over a crime or offense, capital or otherwise infamous, punishable by imprisonment in the penitentiary, or libel, conspiracy, or violation of the post-office and pension laws of the United States.)

¹¹ *Georgia*. 1915 No 210 s 2 amended 1916 No 575. (Excludes crime punishable by death or by life imprisonment.)

¹² *Iowa*. Supplement 1913 s 254-a14. (Excludes crime punishable by death or by life imprisonment.)

¹³ *Louisiana*. Constitution 1913 art 118 s 3. (Capital crimes excepted.)

¹⁴ *Massachusetts*. 1906 C 413 s 1 amended 1912 C 187 and 1916 C 243. (Excludes crime punishable by death or life imprisonment.)

¹⁵ *New Jersey*. Compiled Statutes 1910 p 1887 s 206. (Excludes murder or manslaughter and joint commission of crime with person over 16.)

¹⁶ *New York*. Consolidated Laws 1909 C 40 (Penal) art 196 s 2186. (Crime punishable by death or life imprisonment.) Same provision for Monroe and Ontario Counties—1910 C 611 s 2 and 1913 C 270 s 2; Buffalo—1911 C 651 amended 1917 C 571.

¹⁷ *Utah*. 1913 C 54 s 16. (Excludes offense punishable by death or life imprisonment.)

¹⁸ *Vermont*. General Laws 1917 s 7331. (Excludes crime punishable by death or life imprisonment.)

law specifically excludes the juvenile court from jurisdiction in such cases. In the great majority of States¹ in which the juvenile court may have jurisdiction, the judge may in his discretion dismiss the case and allow the child to be tried in the regular criminal courts or under the ordinary procedure. In some States² it is even possible for the judge so to transfer a merely delinquent child, if he thinks reformation is impossible. In Nevada,³ however, it is possible, in the discretion of the judge and with the consent of the accused, to extend the juvenile-court procedure to a person between 18 and 21 who is charged with felony.

B. OVER ADULTS.

1. Contributing to delinquency and dependency.

Forty States and the District of Columbia now have laws making adults criminally liable for contributing to a child's becoming delinquent or dependent.⁴ The court which has jurisdiction over juvenile cases is usually given this jurisdiction.⁵ This plan

¹ *Arizona*. Revised Statutes 1913 (Civil Code) s 3562. (May suspend criminal prosecution for any offense committed by child. The assumption is that the judge may allow criminal prosecution to proceed in some cases.) *Arkansas*. 1911 A 215 s 10 amended 1917 A 420. *California*. 1915 C 631 s 4c amended 1917 C 627 and C 634. *Illinois*. Hurd's Revised Statutes 1917 C 23 s 177a. *Kansas*. General Statutes 1915 s 3076. *Kentucky*. Carroll's Statutes 1915 s 331e.5. *Maryland*. 1916 C 326 s 7. (At request of minor accused.) *Michigan*. Compiled Laws 1915 s 2012. (Children over 14.) *Mississippi*. 1916 C 111 s 13. *Montana*. 1911 C 122 s 6. *Nevada*. Revised Laws 1912 s 737. *New Hampshire*. Public Statutes Supplement 1913 C 86 (Laws 1907 C 125 s 15) amended 1915 C 96 and 1917 C 74. *New Mexico*. 1917 C 4 s 9. *North Dakota*. Compiled Laws 1913 s 11412. *Ohio*. General Code 1910 s 1681. *Oklahoma*. Revised Laws 1910 s 4424. *Oregon*. Lord's Oregon Laws 1910 s 4416 amended 1913 C 249. *Rhode Island*. 1915 C 1185 s 9 amended 1917 C 1546. *South Carolina*. 1912 No 429 ss 3 and 6; 1917 No 78 s 6. *South Dakota*. 1915 C 119 s 18. *Tennessee*. Public Acts 1911 C 58 s 9 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. *Texas*. Code Criminal Procedure 1911 art 1197 amended 1913 C 112 and 1918 C 26. *Washington*. 1913 C 160 s 12.

² *Alabama*. General Laws 1915 No 506 s 9. *Georgia*. 1915 No 210 s 16 amended 1916 No 575. *Illinois*. Hurd's Revised Statutes 1917 C 23 s 177a. *Massachusetts*. 1906 C 413 s 11 amended 1912 C 187 and 1916 C 243. (Over 14.) *Minnesota*. 1917 C 397 s 21. (Over 12.) *Mississippi*. 1916 C 111 s 13. *Missouri*. 1917 p 196 s 2. *Nevada*. Revised Laws 1912 s 737. *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 15) amended 1915 C 96 and 1917 C 74. *New Jersey*. Compiled Statutes 1910 p 1887 s 209. *North Dakota*. Compiled Laws 1913 s 11412. *Oklahoma*. Revised Laws 1910 s 4424. *Oregon*. Lord's Oregon Laws 1910 s 4416 amended 1913 C 249. *Rhode Island*. 1915 C 1185 s 9 amended 1917 C 1546. *South Dakota*. 1915 C 119 s 13. *West Virginia*. 1915 C 70 s 11 amended 1917 C 63.

³ *Nevada*. Revised Laws 1912 s 737.

⁴ Connecticut, Delaware, New Hampshire, North Dakota, Oklahoma, South Carolina, Vermont, and Wyoming have not yet enacted such legislation.

⁵ This is the case in the following States: *Alabama*. General Laws 1915 No 506 s 10. (Allows \$100 fine, imprisonment in county jail for 6 months, or both.) *Arizona*. Revised Statutes 1913 (Penal Code) ss 256-257. (\$500 fine, 1 year's imprisonment, or both.) *California*. 1915 C 631 s 21 amended 1917 C 627 and C 634. (\$1,000 fine, 2 years' imprisonment, or both.) *Colorado*. 1909 C 157 ss 8 and 9. (\$1,000 fine, 1 year's imprisonment, or both for delinquency; \$100 fine, 90 days' imprisonment, or both for dependency or neglect.) *District of Columbia*. 34 US Statutes at Large p 73 s 24. (\$100 fine, 3 months' imprisonment, or both.) *Georgia*. 1915, No 210 s 37 amended 1916 No 575. (Juvenile court has jurisdiction if offense is a misdemeanor, but not if it amounts to a felony.) *Idaho*. 1911 C 159 art 17 s 159 amended 1917 C 84. (\$300 fine, 6 months' imprisonment, or both for delinquency.) *Indiana*. Burns' Annotated Statutes 1914 s 1645; Supplement 1918 s 1648. (\$500 fine, 6 months' imprisonment, or both.) *Iowa*. Supplement 1913 s 254-a31. (Applies only to dependency and neglect.) *Kansas*. General Statutes 1915 ss 3080 and 3081. (\$1,000 fine, 1 year's imprisonment, or both.) *Kentucky*. Carroll's Statutes 1915 ss 331g.1-331g.6; 331d.1-331d.11. (\$100 fine, 50 days' imprisonment, or both.) *Louisiana*. Constitution 1913 art 118 s 3; 1916 No 139; 1918 No 169. (\$200 fine, 1 year's imprisonment, or both.) *Maryland*. 1916 C 326 s 13. (Fine, imprisonment, or both, in the discretion of the court.) *Massachusetts*. 1906 C 413 s 13 amended 1912 C 187 and 1916 C 243. (Applies to delinquency. \$50 fine, 6 months' imprisonment, or both.) *Minnesota*. 1917 C 397 ss 27 and 28. (Court may impose conditions.) *Mississippi*. 1916 C 111 s 11. (Court may request person responsible to do or omit to do any act, and failure to comply may be punished as contempt of court, but this shall not prevent action being brought under any criminal statute.) *Missouri*. Revised Statutes 1909 s 4491. (Applies to delinquency. \$500 fine, 6 months' imprisonment, or both.)

seems to work for the best interests of the child; but in some States,¹ in order to safeguard the constitutional rights of the adults, jurisdiction is given to the ordinary criminal courts.

2. Desertion and nonsupport.

The juvenile court has likewise jurisdiction over cases of desertion and nonsupport in Alabama,² the District of Columbia,³ Louisiana,⁴ New Jersey,⁵ West Virginia,⁶ and part of New York.⁷ In California,⁸ Maryland,⁹ Ohio,¹⁰ and Tennessee¹¹ the court has jurisdiction in cases of abandonment or failure to provide for a child. In cities of 50,000

ment, or both.) *Montana*. 1911 C 122 ss 18-21. Revised Code 1907 s 7836. (From \$10 to \$1,000 fine, 9 months' imprisonment, or both for delinquency; \$600 fine, 9 months' imprisonment, or both for dependency or neglect.) *Nebraska*. Revised Statutes 1913 ss 1263-1264. (\$500 fine, 6 months' imprisonment, or both.) *Nevada*. Revised Laws 1912 ss 757-764. (\$500 fine, 6 months' imprisonment, or both.) *New Jersey*. Compiled Statutes 1910 p 1887 s 214; 1915 C 246 amended 1918 C 85. (\$1,000 fine, 6 months' imprisonment, or both for contributing to delinquency. \$100 fine, 1 year's imprisonment, or both, for abuse, abandonment, cruelty, or neglect.) *New Mexico*. 1917 C 4 s 2; 1917 C 85 s 7. (\$1,000 fine, 1 year's imprisonment, or both for delinquency. \$10 to \$50 fine, 90 days' imprisonment, or both for dependency or neglect.) *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 ss 487-493, s 494 added 1910 C 699. (In New York City jurisdiction is given to city magistrates.) 1910 C 611. (Applies to Monroe County.) 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 516, 1914 C 124, and 1917 C 571. (Applies to Buffalo.) 1918 C 464 s 20. (Chautauqua County.) *Ohio*. General Code 1910 ss 1642 and 1654 amended 1913 p 864. (\$10 to \$1,000 fine, 10 days' to 1 year's imprisonment, or both.) *Oregon*. Lord's Oregon Laws 1910 ss 2150-2154. (\$1,000 fine, 1 year's imprisonment, or both.) *Rhode Island*. General laws 1909 C 139 s 9; s 10 added 1910 C 550. (\$500 fine, 1 year's imprisonment, or both for delinquency; \$250 fine, 1 year's imprisonment, or both for dependency and forfeit of right to custody of child.) *South Dakota*. 1909 C 275 amended 1913 C 175. (\$500 fine, 1 year's imprisonment, or both.) *Tennessee*. Private Acts 1911 C 182 s 5. (Hamilton County only. See below for penalty.) *Utah*. Compiled Laws 1907 s 720 x 37 amended 1911 C 55; 1913 C 54 s 2. (\$100 fine, 3 months' imprisonment, or both.) *Virginia*. 1914 C 57 s 7 and C 228. (\$500 fine, 1 year's imprisonment, or both.) *Washington*. 1913 C 160 ss 1 and 17. (\$1,000 fine, 1 year's imprisonment, or both.) *West Virginia*. 1915 C 70 ss 33-39 and 43 amended 1917 C 63. (\$500 fine, 1 year's imprisonment, or both.)

¹ *Arkansas*. 1911 No 215 s 23 amended 1917 A 420. (\$500 fine, 1 year's imprisonment, or both.) *Florida*. 1915 C 6906. (\$100 fine, 3 months' imprisonment, or both.) *Illinois*. Hurd's Revised Statutes 1917 C 38 ss 42h1 and 42h2. (\$200 fine, 1 year's imprisonment, or both.) *Maine*. Revised Statutes 1916 C 120 ss 33-37. Contributing to delinquency or distress of child is defined as encouraging use of tobacco, cigarettes, liquor or narcotic drug, furnishing or giving child firearms or any dangerous weapons, except when done by parents, guardians, teachers, or instructors; (\$100 fine or 30 days' imprisonment.) *Michigan*. Compiled Laws 1915 s 2028. (Applies to delinquency. \$100 fine, 90 days' imprisonment, or both.) *North Carolina*. Public Laws 1915 C 222 s 6. *Pennsylvania*. 1909 p 434 s 1, supplementing 1903 p 274. (\$500 fine, 1 year's imprisonment, or both.) *Tennessee*. Public Acts 1911 C 58 s 16 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. (\$5 to \$50 fine, 10 days' to 3 months' imprisonment, or both.) *Texas*. Penal Code 1911 art 1055; art 1055a added 1918 C 62. (\$1,000 fine, 1 year's imprisonment, or both for parents, guardians, or persons responsible for child. \$500 fine, 1 year's imprisonment, or both for other persons contributing to delinquency.) *Wisconsin*. Statutes 1915 s 4581 i. (\$500 fine, 1 year's imprisonment, or both.)

² *Alabama*. General Laws 1915 No 498 s 2.

³ *District of Columbia*. U. S. Revised Statutes Supplement 1891 C 58 p 474 s 3; 34 U. S. Statutes at Large p 73 s 8.

⁴ *Louisiana*. Constitution 1913 art 118 s 3.

⁵ *New Jersey*. 1912 C 360 ss 1-5 amended 1918 C 83. (All disputes involving the domestic relation or the welfare of children, except those under the jurisdiction of the court of chancery or orphans' court.)

⁶ *West Virginia*. 1917 C 51 s 2.

⁷ *New York*. 1910 C 612. (Monroe County.)

⁸ *California*. 1917 C 168.

⁹ *Maryland*. 1916 C 326 s 13.

¹⁰ *Ohio*. General Code 1910 s 1655 amended 1913 p 864.

¹¹ *Tennessee*. Public Acts 1915 C 120 p 335.

in Virginia,¹ where a special juvenile and domestic relations court is established, this court has jurisdiction over cases of desertion and nonsupport.

3. Crimes against children.

The juvenile court has jurisdiction over persons accused of offenses against children in Colorado,² the District of Columbia,³ and Virginia.⁴

4. Mothers' pensions.

The juvenile court administers the "mothers' aid" law in Arkansas,⁵ Colorado,⁶ Illinois,⁷ Iowa,⁸ Maryland,⁹ Michigan,¹⁰ Minnesota,¹¹ Missouri,¹² Montana,¹³ New Jersey,¹⁴ Ohio,¹⁵ Oklahoma,¹⁶ Oregon,¹⁷ South Dakota,¹⁸ Tennessee,¹⁹ Utah,²⁰ Washington,²¹ and Wisconsin.²²

5. Other jurisdiction.

The juvenile court has jurisdiction over the case of an adult violating the child-labor law in Delaware,²³ the District of Columbia,²⁴ Utah,²⁵ and certain counties in New York;²⁶ over the failure of a parent to comply with the compulsory school-attendance law in

¹ *Virginia*. 1914 C 57.

² *Colorado*. Revised Statutes 1908 s 1607. (Jurisdiction in any criminal case against an adult person for the violation of any criminal law where the offense shall be against the person or involve the morals of a child or minor. Also jurisdiction under acts involving duties to, or responsibility for, a child, of any parent, guardian, or other person.)

³ *District of Columbia*. United States Revised Statutes Supplement 1891 C 58 p 474 ss 2 and 4; 34 U. S. Statutes at Large p 73 s 8. (Any person enticing girl under 18 into house of ill fame and all persons violating any law relating to or affecting the protection of children.)

⁴ *Virginia*. 1914 C 57 s 7. (Juvenile and domestic relations court in cities of over 50,000 has jurisdiction over all cases involving the prosecution and punishment of adults charged with offenses against children under 18.)

⁵ *Arkansas*. 1917 A 326.

⁶ *Colorado*. Revised Statutes 1908 s 558 amended 1913 p 694.

⁷ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 206.

⁸ *Iowa*. Supplement 1913 s 254-a20.

⁹ *Maryland*. 1916 C 670.

¹⁰ *Michigan*. Compiled Laws 1915 s 2017.

¹¹ *Minnesota*. 1917 C 223.

¹² *Missouri*. 1911 p 120 amended 1913 p 146.

¹³ *Montana*. 1917 C 83 repealing 1915 C 86.

¹⁴ *New Jersey*. 1913 C 281 amended 1915 C 118.

¹⁵ *Ohio*. General Code 1910 ss 1683-2 to 1683-10 added by 1913 p 864 and 1914 p 199, and amended 1915 p 436.

¹⁶ *Oklahoma*. 1915 C 183. (County court. Not stated whether sitting as juvenile court.)

¹⁷ *Oregon*. 1917 C 267.

¹⁸ *South Dakota*. 1917 C 300. (County court. Not stated whether sitting as juvenile court.)

¹⁹ *Tennessee*. Public Acts 1915 C 32 p 90.

²⁰ *Utah*. 1913 C 90. (Only in counties of 125,000 or more.)

²¹ *Washington*. 1915 C 135.

²² *Wisconsin*. Statutes 1915 s 573f.

²³ *Delaware*. Revised Code 1915 s 3842. (Wilmington.)

²⁴ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 8.

²⁵ *Utah*. 1911 C 144 s 15.

²⁶ *New York*. 1910 C 612 (Monroe County); 1918 C 464 s 20 (Chautauqua County. Jurisdiction in all cases arising under art 44 of the Penal Law).

Idaho,¹ Indiana,² Kansas,³ Montana,⁴ and New Jersey,⁵ and in cases brought for the purpose of providing support and maintenance of children born out of wedlock in the District of Columbia.⁶ The judge of the juvenile court in Oregon⁷ has power to make a compromise with the putative father of an illegitimate child relative to the support of the child. Cases concerning the concealment of the birth of a child may be brought to the juvenile court in certain counties in New York.⁸ In Ohio⁹ the judge may give consent to the marriage of persons under legal age who are without parents or legal guardians.

Adults aiding the escape of a child from an institution in Delaware,¹⁰ or furnishing a minor in an institution with tobacco in certain counties in New York,¹¹ are subject to the jurisdiction of the juvenile court.

¹ *Idaho*. 1911 C 159 s 151 amended 1917 C 84.

² *Indiana*. Burns' Annotated Statutes 1914 s 6678 amended 1915 C 77.

³ *Kansas*. General Statutes 1915 ss 9416-9417.

⁴ *Montana*. 1913 C 76 s 1107.

⁵ *New Jersey*. 1913 C 221 s 4 amended 1915 C 224.

⁶ *District of Columbia*. 37 U. S. Statutes at Large p 134.

⁷ *Oregon*. 1917 C 48 s 12.

⁸ *New York*. 1910 C 612; 1918 C 464 s 20. (Monroe and Chautauqua Counties. See note above.)

⁹ *Ohio*. General Code 1910 s 11181-1 added 1915 p 17.

¹⁰ *Delaware*. Revised Code 1915 s 3840A added 1917 C 253.

¹¹ *New York*. 1910 C 612; 1918 C 464 s 20. (Monroe and Chautauqua Counties.)

III. PRELIMINARY PROCEDURE.

A. PETITION OR COMPLAINT.

In most States proceedings are begun in juvenile cases by petition, filed by any reputable person who believes that the child is within the provisions of the law. This is the case in Alabama,¹ Arizona,² Arkansas,³ California,⁴ Colorado,⁵ Delaware,⁶ Florida,⁷ Georgia,⁸ Illinois,⁹ Iowa,¹⁰ Kansas,¹¹ Kentucky,¹² Louisiana,¹³ Maryland,¹⁴ Michigan,¹⁵ Minnesota,¹⁶ Mississippi,¹⁷ Missouri,¹⁸ Montana,¹⁹ Nebraska,²⁰ Nevada,²¹ New Hampshire,²² New Mexico,²³ North Carolina,²⁴ North Dakota,²⁵ Oklahoma,²⁶ Oregon,²⁷ Pennsylvania,²⁸ Rhode Island,²⁹ South Carolina,³⁰ South Dakota,³¹ Tennessee,³² Vermont,³³ Virginia,³⁴ Washington,³⁵ West Virginia,³⁶ and Wisconsin,³⁷ and in certain counties in New York.³⁸ The petition must be

¹ *Alabama*. General Laws 1915 No 506 s 3.

² *Arizona*. Revised Statutes 1913 (Civil Code) ss 3562, 3564, 3565.

³ *Arkansas*. 1911 A 215 s 4 amended 1917 A 420.

⁴ *California*. 1915 C 631 s 3 amended 1917 C 627 and C 634.

⁵ *Colorado*. Revised Statutes 1908 ss 554, 555; s 588 amended 1909 C 186.

⁶ *Delaware*. Revised Code 1915 s 3834. (Wilmington.)

⁷ *Florida*. 1911 C 6216 s 3 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332. (By probation officer.)

⁸ *Georgia*. 1915 No 210 s 3 amended 1916 No 575.

⁹ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 172.

¹⁰ *Iowa*. Supplemental Supplement 1915 s 254-a15.

¹¹ *Kansas*. General Statutes 1915 s 3068.

¹² *Kentucky*. Carroll's Statutes 1915 s 331e.4.

¹³ *Louisiana*. Constitution 1913 art 118 ss 1 and 4. (Called "affidavit" instead of "petition.")

¹⁴ *Maryland*. 1916 C 326 ss 3 and 6.

¹⁵ *Michigan*. Compiled Laws 1915 s 2015.

¹⁶ *Minnesota*. 1917 C 397 s 7.

¹⁷ *Mississippi*. 1916 C 111 ss 7 and 8.

¹⁸ *Missouri*. 1911 p 177 s 3; 1917 p 196 s 3. (Applies only to neglected children.)

¹⁹ *Montana*. 1911 C 122 s 5.

²⁰ *Nebraska*. Revised Statutes 1913 s 1247.

²¹ *Nevada*. Revised Laws 1912 ss 728 and 731.

²² *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 4) amended 1915 C 96 and 1917 C 74.

²³ *New Mexico*. 1917 C 4 s 4. (Called "affidavit" instead of "petition.")

²⁴ *North Carolina*. Public Laws 1915 C 222 s 2. (Affidavit or oral testimony.)

²⁵ *North Dakota*. Compiled Laws 1913 ss 11406 and 11407.

²⁶ *Oklahoma*. Revised Laws 1910 s 4416.

²⁷ *Oregon*. Lord's Oregon Laws 1910 s 4416.

²⁸ *Pennsylvania*. 1903 p 274 s 2.

²⁹ *Rhode Island*. 1915 C 1185 s 4 amended 1917 C 1546.

³⁰ *South Carolina*. 1917 No 73 s 1; 1912 No 429 s 1.

³¹ *South Dakota*. 1915 C 119 ss 4 and 5.

³² *Tennessee*. Public Acts 1911 C 58 ss 4 and 6 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

³³ *Vermont*. General Laws 1917 s 7325.

³⁴ *Virginia*. 1914 C 350 s 8.

³⁵ *Washington*. 1913 C 160 s 5.

³⁶ *West Virginia*. 1915 C 70 ss 1 and 4 amended 1917 C 63.

³⁷ *Wisconsin*. Statutes 1915 s 573-4.

³⁸ *New York*. 1910 C 611 s 3; 1913 C 270 s 3; 1918 C 464 s 3. (Monroe, Ontario, and Chautauqua Counties.)

verified in Georgia, Iowa, Minnesota, Nebraska, Washington, and West Virginia; sworn in Michigan, Montana, and Rhode Island; and verified by affidavit in Colorado, Illinois, Kansas, Louisiana, Missouri, New Hampshire, New York, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Vermont, Virginia, and Wisconsin. In the District of Columbia¹ the law requires "information filed by the corporation counsel or his assistant." In Connecticut,² Massachusetts,³ New Jersey,⁴ and New York⁵ the complaint is still used; and in Idaho,⁶ Indiana,⁷ Missouri,⁸ Ohio,⁹ Texas,¹⁰ and Utah¹¹ the law provides for sworn complaint.

B. SUMMONS OR WARRANT.

A further step in differentiating the juvenile-court process from ordinary procedure is made by securing the attendance of the parent or guardian and the child by summons instead of by warrant. The laws of Alabama,¹² Arkansas,¹³ Colorado,¹⁴ Connecticut,¹⁵ Delaware,¹⁶ Georgia,¹⁷ Illinois,¹⁸ Indiana,¹⁹ Iowa,²⁰ Kansas,²¹ Kentucky,²² Louisiana,²³ Maryland,²⁴ Massachusetts,²⁵ Michigan,²⁶ Minnesota,²⁷ Mississippi,²⁸ Missouri,²⁹ Nebraska,³⁰ Nevada,³¹ New Hampshire,³² North Dakota,³³

¹ *District of Columbia*. 24 U. S. Statutes at Large p 73 s 12.

² *Connecticut*. General Statutes 1918 s 1822. (By parent, guardian, selectman, grand juror, or other officer of town.)

³ *Massachusetts*. 1906 C 413 s 3 amended 1912 C 187 and 1916 C 243; 1903 C 334 s 1 amended 1909 C 181.

⁴ *New Jersey*. Compiled Statutes 1910 p 1887 s 208.

⁵ *New York*. 1891 C 106 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 519, 1914 C 124, and 1917 C 571. (Applies to Buffalo. No provision for rest of State outside Monroe and Ontario Counties.)

⁶ *Idaho*. 1911 C 159 ss 151, 154, 162, 173 amended 1917 C 84. (Prosecuting attorney. Truancy cases may be begun by probation officer, truant officer, or other reputable person.)

⁷ *Indiana*. Burns' Annotated Statutes 1914 ss 1632 and 1644.

⁸ *Missouri*. 1911 p 177 s 7. (By city prosecuting or circuit attorney.)

⁹ *Ohio*. General Code 1910 s 1647 amended 1913 p 864.

¹⁰ *Texas*. Revised Civil Statutes 1911 art 2186; Code of Criminal Procedure 1911 art 1199 amended 1913 C 112. (Petition in case of dependent or neglected child, sworn complaint in case of delinquent child.)

¹¹ *Utah*. 1913 C 54 s 4.

¹² *Alabama*. General Laws 1915 No 506 s 3; Local Laws 1915 No 128 s 3 and No 361 s 6. (In Mobile County either summons or warrant.)

¹³ *Arkansas*. 1911 A 215 ss 4 and 5 amended 1917 A 420.

¹⁴ *Colorado*. Revised Statutes 1908 ss 554 and 555; s 588 amended 1909 C 156. (Summons or citation.)

¹⁵ *Connecticut*. 1917 C 308 ss 1 and 5. (Between 14 and 18 may be summoned rather than arrested. Under 14 must be summoned.)

¹⁶ *Delaware*. Revised Code 1915 s 3834. (Wilmington.)

¹⁷ *Georgia*. 1915 No 210 ss 4, 6, and 7 amended 1916 No 575.

¹⁸ *Illinois*. Hurd's Revised Statutes 1917 C 23 ss 172 and 173.

¹⁹ *Indiana*. Burns' Annotated Statutes 1914 s 1632.

²⁰ *Iowa*. Supplemental Supplement 1915 s 254-a16.

²¹ *Kansas*. General Statutes 1915 ss 3067 and 3069.

²² *Kentucky*. Carroll's Statutes 1915 s 331e.4.

²³ *Louisiana*. Constitution 1913 art 118 s 4.

²⁴ *Maryland*. 1916 C 326 s 4.

²⁵ *Massachusetts*. Revised Laws 1902 C 86 ss 14-15; 1906 C 413 ss 3 and 4 amended 1912 C 187 and 1916 C 243. (For child under 14 only.)

²⁶ *Michigan*. Compiled Laws 1915 s 2015.

²⁷ *Minnesota*. 1917 C 397 s 8.

²⁸ *Mississippi*. 1916 C 111 s 8.

²⁹ *Missouri*. 1911 p 177 s 4 and 1917 p 195 s 4.

³⁰ *Nebraska*. Revised Statutes 1913 s 1248.

³¹ *Nevada*. Revised Laws 1912 ss 731-732.

³² *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 5) amended 1915 C 96 and 1917 C 74.

³³ *North Dakota*. Compiled Laws 1913 ss 11406 and 11407.

Oklahoma,¹ Rhode Island,² South Carolina,³ South Dakota,⁴ Tennessee,⁵ Vermont,⁶ Virginia,⁷ Washington,⁸ West Virginia,⁹ Wisconsin,¹⁰ and part of New Jersey¹¹ and New York¹² provide for the use of the "summons." In California,¹³ Florida,¹⁴ Montana,¹⁵ New Mexico,¹⁶ Ohio,¹⁷ and Oregon¹⁸ a "citation" is used. In Alabama, Delaware, Georgia, Illinois, Iowa, Kansas, Minnesota, Nevada, New Hampshire, New Mexico, New York, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, Washington, and West Virginia failure to obey summons or citation may be punished as contempt of court. Arkansas, California, Delaware, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Minnesota, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Vermont, Virginia, Washington, West Virginia, and Wisconsin provide that a warrant may be issued if a summons seems likely to be ineffectual. Arizona¹⁹ and Pennsylvania²⁰ give the judge power to "make all necessary orders" for the appearance of the persons against whom complaint is filed, but do not describe the form. In New Jersey²¹ and Utah²² "notice of hearing" is served by sheriff, constable, police officer, or probation officer. In Idaho,²³ New York,²⁴ Texas,²⁵ and Hamilton County, Tenn.,²⁶ the only provision is for "warrant or *capias*." In the District of Columbia²⁷ the court may "issue process for the arrest" of persons against whom complaint has been filed. North Carolina²⁸ provides only that "any child under 18 may be arrested."

¹ *Oklahoma*. Revised Laws 1910 ss 4417 and 4418.

² *Rhode Island*. 1915 C 1185 s 5 amended 1917 C 1546.

³ *South Carolina*. 1912 No. 429 ss 1 and 8; 1917 No 73 ss 1 and 8.

⁴ *South Dakota*. 1915 C 119 ss 6-9.

⁵ *Tennessee*. Public Acts 1911 C 58 s 5 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

⁶ *Vermont*. General Laws 1917 s 7326.

⁷ *Virginia*. 1914 C 350 s 8.

⁸ *Washington*. 1913 C 160 ss 6 and 7.

⁹ *West Virginia*. 1915 C 70 ss 4 and 5 amended 1917 C 63.

¹⁰ *Wisconsin*. Statutes 1915 ss 573-5.1 and 573-5.2.

¹¹ *New Jersey*. 1912 C 353 s 7 amended 1918 C 81. (Counties of the first class.)

¹² *New York*. 1910 C 611 ss 4 and 6; 1913 C 270 ss 4 and 6 (Monroe and Ontario Counties); 1991 C 1-5 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 531-c, 1914 C 124, and 1917 C 571 (Buffalo); 1918 C 464 s 4 (Chautauqua County).

¹³ *California*. 1915 C 631 ss 4, 4a, 4b, and 15e amended 1917 C 627 and C 634.

¹⁴ *Florida*. 1911 C 6216 s 4 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332; 1911 C 6221 s 1.

¹⁵ *Montana*. 1911 C 122 s 5.

¹⁶ *New Mexico*. 1917 C 4 s 4.

¹⁷ *Ohio*. General Code 1910 s 1648 amended 1913 p. 864.

¹⁸ *Oregon*. Lord's Oregon Laws 1910 s 4410.

¹⁹ *Arizona*. Revised Statutes (Civil Code) 1913 s 3564.

²⁰ *Pennsylvania*. 1903 p. 274 s 2.

²¹ *New Jersey*. Compiled Statutes 1910 p 1887 ss 209 and 210.

²² *Utah*. 1913 C 54 ss 5 and 6.

²³ *Idaho*. 1911 C 159 s 155 amended 1917 C 84.

²⁴ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 486 (5) amended 1912 C 169, 1915 C 490, and 1917 C 430. (Except in counties mentioned above.)

²⁵ *Texas*. Code of Criminal Procedure 1911 art 1200 amended 1913 C 112.

²⁶ *Tennessee*. Private Acts 1911 C 182 s 2.

²⁷ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 17.

²⁸ *North Carolina*. Public Laws 1915 C 222 s 2.

C. PRELIMINARY INVESTIGATION.

A majority of the States¹ provide by law for a preliminary investigation of the case by the probation officer before the child is brought in for hearing. Other States² which require an investigation do not state when it shall be made, and the rest³ do not mention it at all.

D. CUSTODY AND CARE OF CHILD PENDING HEARING.

The method of detaining the child before and during trial is one of the most significant features of juvenile-court legislation. Under the criminal law the child who could not give bond for his appearance was sent to jail to await his trial. Georgia,⁴ Iowa,⁵ Louisiana,⁶ Michigan,⁷ Missouri,⁸ Montana,⁹ New Hampshire,¹⁰ Ohio,¹¹ Pennsylvania,¹² Rhode Island,¹³ South Carolina,¹⁴ Virginia,¹⁵ Jefferson County, Ala.,¹⁶ and Hamilton County, Tenn.,¹⁷ now provide

¹Alabama. General Laws 1915 No 506 s 3; Local Laws 1915 No 128 s 3 and No 361 s 6. (Obligatory only in Jefferson County.) Arizona. Revised Statutes 1913 (Civil Code) ss 3562 and 3566. California. 1915 C 631 ss 3b and 20 amended 1917 C 627 and C 634. Connecticut. General Statutes 1918 s 6670. Georgia. 1915 No 210 ss 4 and 26 amended 1916 No 575. Idaho. 1911 C 159 s 163 amended 1917 C 84. (To be made if possible.) Illinois. Hurd's Revised Statutes 1917 C 23 s 174. Indiana. Burns' Annotated Statutes 1914 s 1632. Iowa. Supplement 1913 s 254-a18. Kansas. General Statutes 1915 s 3067. Kentucky. Carroll's Statutes 1915 s 331e. 20. Louisiana. Constitution 1913 art 118 ss 1 and 2. Massachusetts. 1906 C 413 s 7 amended 1912 C 187 and 1916 C 243. Michigan. Compiled Laws 1915 s 2015. Missouri. 1911 p 177 ss 9 and 13; 1917 p 195 s 11. Montana. 1911 C 122 s 14 amended 1915 C 52. Nebraska. Revised Statutes 1913 s 1249 amended 1915 C 24 and 1917 C 24. Nevada. Revised Laws 1912 s 733 amended 1917 C 63. New Jersey. 1912 C 353 s 7 amended 1918 C 81. (Applies only to Essex and Hudson Counties. Not obligatory. No mention of investigation in rest of State.) New York. 1910 C 659 s 39 amended 1911 C 721, 1913 C 691, and 1915 C 531 (applies to New York City); 1910 C 611 s 4 (Monroe County); 1913 C 270 s 4 (Ontario County); 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 521, 1914 C 124, and 1917 C 571 (Buffalo); 1910 C 676 s 31 amended 1916 C 487 and 1917 C 112 (Syracuse). (For rest of State see below.) North Dakota. Compiled Laws 1913 s 11408. Ohio. General Code 1910 s 1663. Rhode Island. 1915 C 1185 s 18 amended 1917 C 1546. South Dakota. 1915 C 119 s 24. Tennessee. Public Acts 1911 C 58 s 6 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. Texas. Revised Civil Statutes 1911 art 2188; Code of Criminal Procedure 1911 art 1202 amended 1913 C 112. Utah. 1913 C 54 s 14. Vermont. General Laws 1917 s 7326. Virginia. 1914 C 350 s 5. Washington. 1913 C 160 s 3. West Virginia. 1915 C 70 s 6 amended 1917 C 63. Wisconsin. Statutes 1915 s 573-3.1 and 573-3.4.

²Arkansas. 1911 A 215 s 6 amended 1917 A 420. Colorado. Revised Statutes 1908 s 593. Delaware. Revised Code 1915 s 3833 amended 1917 C 252. Florida. 1911 C 6216 s 5 amended by 1913 C 6494, 1915 C 6919, and 1917 C 7332. Maryland. 1916 C 326 s 6; Code of Public Local Laws art 4 s 886 B amended 1902 C 611, 1904 C 514, and 1912 C 618. Minnesota. General Statutes 1913 s 9387; 1917 C 397 s 9. Mississippi. 1916 C 111 s 19. New Hampshire. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 ss 5-8) amended 1915 C 96 and 1917 C 74. New York. Code of Criminal Procedure Part I Title 1 s 11a(2). Oregon. Lord's Oregon Laws 1910 s 4411. Pennsylvania. 1903 p 274 s 3 amended 1909 p 89. Rhode Island. 1915 C 1185 s 8 amended 1917 C 1546. South Carolina. 1917 No 73 s 4; 1912 No 429 s 5.

³District of Columbia, New Mexico, North Carolina, Oklahoma, Maine, and Wyoming.

⁴Georgia. 1915 No 210 s 19 amended 1916 No 575.

⁵Iowa. Supplement 1913 s 254-a24. (Extends to children under 17.)

⁶Louisiana. Constitution 1913 art 118 s 4.

⁷Michigan. Compiled Laws 1915 s 2013.

⁸Missouri. 1911 p 177 s 13 and 1917 p 195 s 6.

⁹Montana. 1911 C 122 s 5.

¹⁰New Hampshire. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 16) amended 1915 C 96 and 1917 C 74.

¹¹Ohio. General Code 1910 s 4102.

¹²Pennsylvania. 1903 p 274 s 7.

¹³Rhode Island. 1915 C 1185 s 8 amended 1917 C 1546.

¹⁴South Carolina. 1917 No 73 s 7; 1912 No 429 s 7.

¹⁵Virginia. 1914 C 350 s 2.

¹⁶Alabama. Local Laws 1915 No 361 s 7. (Applies to Jefferson County.)

¹⁷Tennessee. Private Acts 1911 C 182.

that no child who comes under the jurisdiction of the juvenile court shall under any circumstances be detained in a police station or jail. Arkansas,¹ California,² Colorado,³ Delaware,⁴ Florida,⁵ Idaho,⁶ Illinois,⁷ Indiana,⁸ Kentucky,⁹ Minnesota,¹⁰ Nebraska,¹¹ Nevada,¹² Oklahoma,¹³ Oregon,¹⁴ South Dakota,¹⁵ Utah,¹⁶ Washington,¹⁷ West Virginia,¹⁸ and Wisconsin¹⁹ have this provision only for children under certain ages. In Alabama,²⁰ "if absolutely necessary," a child "may be kept in jail for safe-keeping." In Kansas²¹ it is permissible if the child has committed a felony. Mississippi²² prohibits placing a child under 17 in jail unless he is to be remanded to the grand jury. Tennessee²³ provides that if a child is apprehended at night and no disposition can be made he may be placed in a jail or police station until morning. While Massachusetts²⁴ prohibits detention in jail under 14, an exception is made in the case of a boy between 12 and 14 who has violated a law.

Alabama,²⁵ Arizona,²⁶ Georgia,²⁷ Maryland,²⁸ Missouri,²⁹ New Jersey,³⁰ New York,³¹ North Carolina,³² Pennsylvania,³³ South Carolina,³⁴ Tennessee,³⁵ Texas,³⁶ and Wisconsin³⁷ require that children who are confined

¹ *Arkansas*. 1911 A 215 s 11 amended 1917 A 420. (Under 12.)

² *California*. 1915 C 631 s 14 amended C 627 and C 634. (Under 16.)

³ *Colorado*. Revised Statutes 1908 s 591. (Under 14.)

⁴ *Delaware*. Revised Code 1915 s 3836. (Under 14.)

⁵ *Florida*. 1911 C 6216 ss 4 and 11 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332.

⁶ *Idaho*. 1911 C 159 s 155 amended 1917 C 84. (Under 14.)

⁷ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 179. (Under 12.)

⁸ *Indiana*. Burns' Annotated Statutes 1914 s 1637. (Under 14.)

⁹ *Kentucky*. Carroll's Statutes 1915 s 331e.4.

¹⁰ *Minnesota*. 1917 C 265. (Under 14.)

¹¹ *Nebraska*. Revised Statutes 1913 s 1254. (Under 14.)

¹² *Nevada*. Revised Laws 1912 s 742. (Under 12.)

¹³ *Oklahoma*. Revised Laws 1910 s 4425. (Under 12.)

¹⁴ *Oregon*. Lord's Oregon Laws 1910 s 4418. (Under 14.)

¹⁵ *South Dakota*. 1915 C 119 s 9. (Under 15.)

¹⁶ *Utah*. Compiled Laws 1907 s 720x33. (Under 16.)

¹⁷ *Washington*. 1913 C 160 s 11. (Under 16.)

¹⁸ *West Virginia*. 1915 C 70 s 16 amended 1917 C 63. (Under 12.)

¹⁹ *Wisconsin*. Statutes 1915 s 573-9.1.

²⁰ *Alabama*. General Laws 1915 No. 506.

²¹ *Kansas*. General Statutes 1915 s 3070.

²² *Mississippi*. 1916 C 111 s 9.

²³ *Tennessee*. Public Acts 1911 C 58 s 11 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. (In Knox County not to be confined in jail if avoidable.)

²⁴ *Massachusetts*. 1906 C 413 s 3 amended 1912 C 187 and 1916 C 243.

²⁵ *Alabama*. General Laws 1915 No 506.

²⁶ *Arizona*. Revised Statutes 1913 (Penal Code) s 1468.

²⁷ *Georgia*. 1915 No 210 s 19 amended 1916 No 575. (Under 16.)

²⁸ *Maryland*. 1916 C 326 s 12.

²⁹ *Missouri*. 1911 p 177 s 12; 1917 p 195 s 9.

³⁰ *New Jersey*. Compiled Statutes 1910 p 1875 s 166. (Not to be detained more than 24 hours unless separated.)

³¹ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 486 (8) amended 1912 C 169, 1915 C 480, and 1917 C 430; 1910 C 611 s 5; 1913 C 270 s 5; 1918 C 464 s 10.

³² *North Carolina*. 1915 C 222 s 5.

³³ *Pennsylvania*. 1903 p 274 s 7.

³⁴ *South Carolina*. 1912 No 429 s 7; 1917 No 73 s 7.

³⁵ *Tennessee*. Public Acts 1911 C 58 s 5 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

³⁶ *Texas*. Code of Criminal Procedure 1911 art 1200 amended 1913 C 112 p 124.

³⁷ *Wisconsin*. Statutes 1915 s 573-9.3. (Under 16.)

in any jail, police station, or house of detention shall be kept apart from adult prisoners.

In the majority of cases it is considered best to allow the child to remain at home pending trial, unless the surroundings are such as to warrant his immediate removal. In Arizona,¹ Arkansas,² California,³ Florida,⁴ Illinois,⁵ Louisiana,⁶ Minnesota,⁷ Missouri,⁸ Nebraska,⁹ Nevada,¹⁰ New Hampshire,¹¹ North Dakota,¹² Oklahoma,¹³ Oregon,¹⁴ Pennsylvania,¹⁵ South Dakota,¹⁶ Tennessee,¹⁷ Vermont,¹⁸ Virginia,¹⁹ Washington,²⁰ and West Virginia²¹ the law provides that the child may remain in the control of his parents, guardian, or person having custody, without mention of any security. The provision that a child may give bond for appearance, or if unable to give bail shall be committed to the custody of a responsible officer such as the sheriff, police officer, or probation officer, is found in the laws of Alabama,²² Arkansas,²³ Colorado,²⁴ the District of Columbia,²⁵ Florida,²⁶ Idaho,²⁷ Illinois,²⁸ Indiana,²⁹ Iowa,³⁰ Kentucky,³¹ Maryland,³² Massachusetts,³³ Michigan,³⁴ Mississippi,³⁵ Missouri,³⁶ Nebraska,³⁷ Nevada,³⁸

¹ Arizona. Revised Statutes 1913 (Civil Code) s 3564.

² Arkansas. 1911 A 215 s 5 amended 1917 A 420.

³ California. 1915 C 631 s 4b and s 14 amended 1917 C 627 and C 634.

⁴ Florida. 1911 C 6216 s 4 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332.

⁵ Illinois. Hurd's Revised Statutes 1917 C 23 s 173.

⁶ Louisiana. Constitution 1913 art 118 s 4.

⁷ Minnesota. 1917 C 397 s 8.

⁸ Missouri. 1911 p 177 s 4; 1917 p 195 s 5.

⁹ Nebraska. Revised Statutes 1913 s 1248.

¹⁰ Nevada. Revised Laws 1912 s 732.

¹¹ New Hampshire. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 5) amended 1915 C 96 and 1917 C 74.

¹² North Dakota. Compiled Laws 1913 s 11407.

¹³ Oklahoma. Revised Laws 1910 s 4419.

¹⁴ Oregon. Lord's Oregon Laws 1910 s 4410.

¹⁵ Pennsylvania. 1903 p 274 s 2.

¹⁶ South Dakota. 1915 C 119 s 9.

¹⁷ Tennessee. Public Acts 1911 C 58 s 5 amended 1913 (First Extra Session) C 24, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

¹⁸ Vermont. General Laws 1917 s 7326.

¹⁹ Virginia. 1914 C 350 s 8.

²⁰ Washington. 1913 C 160 s 6.

²¹ West Virginia. 1915 C 70 s 5 amended 1917 C 63.

²² Alabama. General Laws 1915 No 506 s 3.

²³ Arkansas. 1911 A 215 s 11 amended 1917 A 420.

²⁴ Colorado. Revised Statutes 1908 s 591. (Has right to give bond.)

²⁵ District of Columbia. 34 U. S. Statutes at Large p 73 s 17. (May give bond for appearance.)

²⁶ Florida. 1911 C 6216 s 11 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332.

²⁷ Idaho. 1911 C 159 s 155 amended 1917 C 84. (May accept verbal or written promise of parent, or bond, or other security.)

²⁸ Illinois. Hurd's Revised Statutes 1917 C 23 s 179.

²⁹ Indiana. Burns' Annotated Statutes 1914 s 1632 and 1637.

³⁰ Iowa. Supplement 1913 s 254-a24; Supplemental Supplement 1915 s 254-a16.

³¹ Kentucky. Carroll's Statutes 1915 s 331e.6. (Has right to give bond or other security.)

³² Maryland. 1916 C 326 s 12.

³³ Massachusetts. 1906 C 413 s 5 amended 1912 C 187 and 1916 C 243.

³⁴ Michigan. Compiled Laws 1915 s 2013.

³⁵ Mississippi 1916 C 11 s 9. (May be admitted to bail.)

³⁶ Missouri. 1911 p 177 s 13; 1917 p 195 s 6.

³⁷ Nebraska. Revised Statutes 1913 s 1254.

³⁸ Nevada. Revised Laws 1912 s 742.

New Hampshire,¹ New York,² North Carolina,³ North Dakota,⁴ Ohio,⁵ Oklahoma,⁶ Oregon,⁷ South Dakota,⁸ Tennessee,⁹ Texas,¹⁰ Vermont,¹¹ Washington,¹² West Virginia,¹³ and Wisconsin.¹⁴

The personal recognizance of the child or parent may be substituted for bond in Delaware,¹⁵ Idaho,¹⁶ Indiana,¹⁷ Kentucky,¹⁸ Maine,¹⁹ Massachusetts,²⁰ Montana,²¹ New York,²² Ohio,²³ Rhode Island,²⁴ and South Dakota.²⁵

When it is evident before trial that the child should not be allowed to remain in the custody of parents or guardians, there should be a suitable place provided for his care. This is usually designated a detention "home" or "school." As the needs of the counties vary greatly with the number of children and with other local conditions, it has up to the present time proved impossible to secure by law adequate provision for the care of children under detention. Special detention homes, rooms, or schools are required for all counties in five States only—Arizona,²⁶ California,²⁷ Michigan,²⁸ Missouri,²⁹ and Pennsylvania³⁰—and for the larger cities or counties in nine others—Alabama,³¹ Colorado,³² Kentucky,³³ Montana,³⁴ Nevada,³⁵ New York,³⁶

¹ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 16) amended 1915 C 96 and 1917 C 74.

² *New York*. 1910 C 611 s 5; 1913 C 270 s 5; 1918 C 464 s 5. (Monroe, Ontario, and Chautauqua Counties. May be admitted to bail.)

³ *North Carolina*. Public Laws 1915 C 222 s 5. (May be placed in temporary custody of some responsible person who will give bail or be responsible for his appearance in court.)

⁴ *North Dakota*. Compiled Laws 1913 s 11417. (May give bond or other security.)

⁵ *Ohio*. General Code 1910 s 1665. (Bail is permitted as in criminal cases.)

⁶ *Oklahoma*. Revised Laws 1910 s 4425.

⁷ *Oregon*. Lord's Oregon Laws 1910 s 4418.

⁸ *South Dakota*. 1915 C 119 s 9.

⁹ *Tennessee*. Public Acts 1911 C 58 s 5 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294. (May be admitted to bail or held otherwise, as the court directs.)

¹⁰ *Texas*. Code of Criminal Procedure 1911 art 1200 amended 1913 C 112. (May give bond or other security for appearance.)

¹¹ *Vermont*. General Laws 1917 s 7332.

¹² *Washington*. 1913 C 160 s 11.

¹³ *West Virginia*. 1915 C 70 s 16 amended 1917 C 63.

¹⁴ *Wisconsin*. Statutes 1915 s 573-9.1.

¹⁵ *Delaware*. Revised Code 1915 s 3834.

¹⁶ *Idaho*. 1911 C 159 s 155 amended 1917 C 84.

¹⁷ *Indiana*. Burns' Annotated Statutes 1914 s 1632.

¹⁸ *Kentucky*. Carroll's Statutes 1915 s 231e.4.

¹⁹ *Maine*. Revised Statutes 1916 C 137 s 15.

²⁰ *Massachusetts*. 1906 C 489 s 7 amended 1918 C 257 s 419.

²¹ *Montana*. 1911 C 122 s 5.

²² *New York*. Code of Criminal Procedure Part IV Title XII s 554(4).

²³ *Ohio*. General Code 1910 s 1648 amended 1913 p 864 and s 1648-1 added 1913 p 864.

²⁴ *Rhode Island*. 1915 C 1185 ss 5 and 8 amended 1917 C 1546.

²⁵ *South Dakota*. 1915 C 119 s 9.

²⁶ *Arizona*. Revised Statutes 1913 (Civil Code) s 3573.

²⁷ *California*. 1915 C 631 ss 17b and 22 amended 1917 C 627 and C 634.

²⁸ *Michigan*. Compiled Laws 1915 s 2013.

²⁹ *Missouri*. 1911 p 177 s 12; 1917 p 195 s 9.

³⁰ *Pennsylvania*. 1903 p 137 s 1 amended 1913 p 870 s 1.

³¹ *Alabama*. Local Laws 1915 No 110 (applies to Mobile County); Local Laws 1915 No 361 s 12 (applies to Jefferson County; requires establishment if contract with an association is unsatisfactory).

³² *Colorado*. Revised Statutes 1908 s 591. (Counties of the first class.)

³³ *Kentucky*. Carroll's Statutes 1915 s 331e.4. (Counties containing cities of the first or second class except those in which the board of children's guardians has established a temporary home.)

³⁴ *Montana*. 1911 C 122 s 22. (In counties of 40,000 or over.)

³⁵ *Nevada*. Revised Laws 1912 s 742. (In counties of over 10,000.)

³⁶ *New York*. 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 518, 1914 C 124, and 1917 C 571. (Applies to Buffalo.)

Utah,¹ Washington,² and West Virginia.³ The law permits their establishment in all counties of Florida,⁴ Georgia,⁵ Illinois,⁶ Nebraska,⁷ New Jersey,⁸ North Carolina,⁹ Rhode Island,¹⁰ South Carolina,¹¹ Texas,¹² Washington,¹³ and West Virginia,¹⁴ and in certain counties of Kansas,¹⁵ New York,¹⁶ Oregon,¹⁷ and South Dakota.¹⁸ In Florida¹⁹ and Utah²⁰ the small counties may combine in the use of a detention home. The commissioners of the District of Columbia²¹ are required to provide a "suitable place of detention." In Idaho²² a "suitable room in the county building or courthouse must be provided wherein the sheriff may safely keep such child." In other States it is left to the discretion of the sheriff, police, or probation officer to place the child in a suitable place provided by the city or county authorities.

¹ *Utah*. Compiled Laws 1907 s 720x42 amended 1909 C 110 and 1911 C 54; s 720x43 amended 1909 C 110. (Counties containing cities of the first or second class.)

² *Washington*. 1913 C 180 s 13. (Counties of more than 50,000.)

³ *West Virginia*. 1915 C 70 s 16 amended 1917 C 63. (Counties of more than 40,000.)

⁴ *Florida*. 1915 C 6841.

⁵ *Georgia*. 1915 No 210 s 18 amended 1916 No 575.

⁶ *Illinois*. Hurd's Revised Statutes 1917 C 23 ss 271-278. (Provided legal voters of county consent.)

⁷ *Nebraska*. Revised Statutes 1913 s 1262.

⁸ *New Jersey*. Compiled Statutes 1910 p 1887 s 216; 1912 C 327 amended 1918 C 84; 1912 C 353 s 7 amended 1918 C 81.

⁹ *North Carolina*. Public Laws 1915 C 222 s 5.

¹⁰ *Rhode Island*. 1915 C 1185 s 7 amended 1917 C 1546.

¹¹ *South Carolina*. 1912 No 429 s 7; 1917 No 73 s 7.

¹² *Texas*. Code Criminal Procedure 1911 art 1203 amended 1913 C 112 p 214.

¹³ *Washington*. 1913 C 180 s 13.

¹⁴ *West Virginia*. 1915 C 70 s 16 amended 1917 C 63. (With consent of legal voters.)

¹⁵ *Kansas*. General Statutes 1915 ss 3086-3089. (County of 20,000.)

¹⁶ *New York*. Consolidated Laws 1909 C 11 (County Law) s 99. (Any county except Kings. Under control of sheriff. Both women and children committed.)

¹⁷ *Oregon*. Lord's Oregon Laws 1910 s 4412 amended 1913 C 429. (Counties of more than 100,000.)

¹⁸ *South Dakota*. 1915 C 119 s 9. (In counties of 50,000 or more.)

¹⁹ *Florida*. 1915 C 6841. (Counties of less than 10,000.)

²⁰ *Utah*. Compiled Laws 1907 s 720x42 amended 1909 C 110 and 1911 C 54; s 720x43 amended 1909 C 110.

²¹ *District of Columbia*. 32 U. S. Statutes at Large p 972.

²² *Idaho*. 1911 C 159 s 155 amended 1917 C 84.

IV. HEARING.

A. NATURE OF PROCEEDINGS.

Formal criminal procedure is inconsistent with the theory underlying the juvenile-court legislation, which treats the child not as a criminal but as a delinquent "misdirected and misguided and needing aid, encouragement, help, and assistance."¹ The purpose is not to prove that the child is, or is not, guilty of an offense, but to find out what surroundings and circumstances are responsible for his delinquency and to make sure that the hostile conditions do not continue. To this end South Dakota² provides that "all hearings under the provision of this act may be informal in their nature and conducted under such rules and regulations as the court may prescribe, and designed to inform the court fully as to the exact status of the child, and to ascertain its history and environment and the past and present physical, mental, and moral conditions of the child and its parents, custodian, guardian, or relatives."

The law provides that the court shall hear and dispose of the case in a "summary manner" in California,³ Idaho,⁴ Iowa,⁵ Kansas,⁶ Kentucky,⁷ Minnesota,⁸ Missouri,⁹ Nebraska,¹⁰ New Hampshire,¹¹ Ohio,¹² Oklahoma,¹³ Oregon,¹⁴ Tennessee,¹⁵ Vermont,¹⁶ Virginia,¹⁷ Washington,¹⁸ and Wisconsin,¹⁹ and in an "informal manner" in Delaware.²⁰ The court may adopt any form that is best suited in Rhode Island.²¹

¹ *Colorado*. Revised Statutes 1908 s 597. (Similar statement occurs in laws of other States.)

² *South Dakota*. 1915 C 119 s 28.

³ *California*. 1915 C 631 s 4b.

⁴ *Idaho*. 1911 C 159 s 154 amended 1917 C 84.

⁵ *Iowa*. Supplement 1913 s 254-a19.

⁶ *Kansas*. General Statutes 1915 s 3069.

⁷ *Kentucky*. Carroll's Statutes 1915 s 331a.4.

⁸ *Minnesota*. 1917 C 397 s 8.

⁹ *Missouri*. 1911 p 177 s 4; 1917 p 195 s 4.

¹⁰ *Nebraska*. Revised Statutes 1913 s 1248.

¹¹ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 5) amended 1915 C 96 and 1917 C 74.

¹² *Ohio*. General Code 1910 s 1650.

¹³ *Oklahoma*. Revised Laws 1910 s 4419.

¹⁴ *Oregon*. Lord's Oregon Laws 1910 s 4410.

¹⁵ *Tennessee*. Public Acts 1911 C 58 s 1 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

¹⁶ *Vermont*. General Laws 1917 s 7326.

¹⁷ *Virginia*. 1914 C 350 s 8.

¹⁸ *Washington*. 1913 C 160 s 6.

¹⁹ *Wisconsin*. Statutes 1915 s 573-5.2.

²⁰ *Delaware*. Revised Code 1915 s 3834.

²¹ *Rhode Island*. 1915 C 1185 s 13 amended 1917 C 1546.

Colorado,¹ Missouri,² and Utah³ provide for chancery or equity proceedings. Kentucky,⁴ Massachusetts,⁵ Michigan,⁶ and Virginia⁷ definitely state that the proceedings shall not be criminal.

Other States have more general provisions with regard to the nature of the proceedings. In Alabama⁸ all proceedings shall be guided by the theory that the child is the ward of the State and subject to the discipline and entitled to the protection which the court should give, and the "trial shall be so conducted as to disarm the fears of the child and win its respect and confidence." Georgia⁹ and New York¹⁰ provide that the nature of the proceedings shall be explained to the child. In Maryland¹¹ the "hearing, trial, and determination shall be without regard to the technicalities of procedure or rules of evidence."

In New Jersey¹² the trial shall be in conformity with the law and like proceedings in the court of quarter sessions. The Wyoming¹³ law provides, in the case of a child between 10 and 16, that the proceedings "shall conform as nearly as practicable to the course of procedure provided for by law for the trial of criminal cases in the district courts; but the trial of such juvenile delinquents shall be before the court and not before a jury."

B. TIME AND PLACE.

In the larger cities of Louisiana¹⁴ and of New York¹⁵ the juvenile court must not be held in the same building with criminal or adult courts. In Delaware,¹⁶ Illinois,¹⁷ Indiana,¹⁸ Kentucky,¹⁹ Massachusetts,²⁰ Minnesota,²¹ Missouri,²² Nebraska,²³ New York,²⁴ Ohio,²⁵ Rhode

¹ Colorado. 1909 C 158 s 1. (Where practicable.)

² Missouri. 1911 p 177 s 2; 1917 p 195 s 2. (Except that criminal procedure shall govern when child is charged with violating a criminal statute.)

³ Utah. 1913 C 54 s 7.

⁴ Kentucky. Carroll's Statutes 1915 s 331e.18.

⁵ Massachusetts. 1906 C 413 s 2 amended 1912 C 187 and 1916 C 243.

⁶ Michigan. Compiled Laws 1915 s 2012. (But a child over 14 charged with a felony may be proceeded against in the proper courts.)

⁷ Virginia. 1914 C 350 s 8.

⁸ Alabama. General Laws 1915 No. 506 s 4.

⁹ Georgia. 1915 No 210 s 15 amended 1916 No 575.

¹⁰ New York. 1910 C 611 s 8; 1913 C 270 s 8. (Applies only to Monroe and Ontario Counties.)

¹¹ Maryland. 1916 C 326 s 2.

¹² New Jersey. Compiled Statutes 1910 p 1887 s 211.

¹³ Wyoming. Compiled Statutes 1910 s 3128.

¹⁴ Louisiana. Constitution 1913 art 118 s 1. (Applies to New Orleans.)

¹⁵ New York. 1910 C 659 s 34-q added by 1915 C 531. (Applies to New York City, except the borough of Richmond, where a separate room may be used.) 1911 C 651 s 517. (Applies to the city of Buffalo.)

¹⁶ Delaware. Revised Code 1915 s 3831. (Wilmington.)

¹⁷ Illinois. Hurd's Revised Statutes 1917 C 23 s 171. (In counties of over 500,000.)

¹⁸ Indiana. Burns' Annotated Statutes 1914 ss 1630 and 1633.

¹⁹ Kentucky. Carroll's Statutes 1915 s 331e.2. (Counties containing a city of the first class.)

²⁰ Massachusetts. 1906 C 413 s 6 amended 1912 C 187 and 1916 C 243.

²¹ Minnesota. 1917 C 397 s 3.

²² Missouri. 1911 p 177 s 2. (Counties of 50,000 or over.)

²³ Nebraska. Revised Statutes 1913 s 1246. (In counties of 40,000 population.)

²⁴ New York. Consolidated Laws 1909 C 40 (Penal) art 44 s 487. (Applies to State.) 1910 C 611 s 7; 1912 C 270 s 7. (Monroe and Ontario Counties.)

²⁵ Ohio. General Code 1910 s 1649. (Special room not used for criminal cases when avoidable.)

Island,¹ and Virginia² a separate room is required. Arizona,³ Connecticut,⁴ Delaware,⁵ Georgia,⁶ Indiana,⁷ Kentucky,⁸ Louisiana,⁹ Massachusetts,¹⁰ Michigan,¹¹ Missouri,¹² Montana,¹³ New Jersey,¹⁴ New York,¹⁵ North Dakota,¹⁶ and West Virginia¹⁷ provide that hearings may be held in chambers. In Baltimore¹⁸ trial may be held in any "proper place" in the courthouse. In Boston¹⁹ suitable rooms are to be provided in the county courthouse. In New Mexico,²⁰ Mississippi,²¹ part of New Jersey,²² and in Philadelphia²³ any place may be selected by the judge. In Colorado²⁴ the county commissioners shall provide a "suitable place" in the county courthouse, or the trial may be held in the detention house. In New Jersey²⁵ a public school may be used. In North Carolina²⁶ the judge may hear cases in his private office. In Tennessee²⁷ a "separate place" must be provided, and in Utah²⁸ trials shall not be held "on the premises of any ordinary police court if possible."

Juvenile cases must be heard at special or separate sessions apart from other business of the court in Alabama,²⁹ Louisiana,³⁰ Massachusetts,³¹ Missouri,³² New Hampshire,³³ New York,³⁴ North Carolina,³⁵

¹ *Rhode Island*. 1915 C 1185 s 13 amended 1917 C 1546. (So far as practicable.)

² *Virginia*. 1914 C 57 s 8. (Cities having a population of 50,000 or more.)

³ *Arizona*. Revised Statutes 1913 (Civil Code) ss 3562 and 3566.

⁴ *Connecticut*. General Statutes 1918 s 1856. (If a first prosecution, unless charged with an offense punishable by death or imprisonment in State prison.)

⁵ *Delaware*. Revised Code 1915 s 3834. (So far as may be lawfully done.)

⁶ *Georgia*. 1915 No 210 s 11 amended 1916 No 575.

⁷ *Indiana*. Burns' Annotated Statutes 1914 s 1630 and s 1633.

⁸ *Kentucky*. Carroll's Statutes 1915 s 331 e.4. (So far as may be lawfully done.)

⁹ *Louisiana*. Constitution 1913 art 118 s 2.

¹⁰ *Massachusetts*. 1906 C 413 s 6 amended 1912 C 187 and 1916 C 243.

¹¹ *Michigan*. Compiled Laws 1915 s 2013.

¹² *Missouri*. 1917 p 195 s 5. (Counties less than 50,000.)

¹³ *Montana*. 1911 C 122 s 8.

¹⁴ *New Jersey*. 1912 C 353 s 8. (Applies only to counties of the first class.)

¹⁵ *New York*. 1910 C 611 s 7; 1913 C 270 s 7; 1918 C 464 s 2. (Monroe, Ontario, and Chautauqua Counties.)

¹⁶ *North Dakota*. Compiled Laws 1913 s 11405.

¹⁷ *West Virginia*. 1915 C 70 s 2 amended 1917 C 63.

¹⁸ *Maryland*. Code of Public Local Laws art 4 s 623A amended 1902 C 611, 1904 C 521, and 1910 C 41.

¹⁹ *Massachusetts*. 1906 C 499 s 3 amended 1918 C 257 s 419. (Applies to Boston.)

²⁰ *New Mexico*. 1917 C 85 s 5. (Applies only to dependent.)

²¹ *Mississippi*. 1916 C 111 s 14.

²² *New Jersey*. 1912 C 353 s 8; 1918 C 82. (Applies to counties of the first class—Essex and Hudson Counties.)

²³ *Pennsylvania*. 1913 p 711 s 9 amended 1915 p 988, 1915 p 1017, and 1917 p 1015.

²⁴ *Colorado*. Revised Statutes 1908 s 1599.

²⁵ *New Jersey*. 1912 C 353 s 8. (Essex and Hudson Counties.)

²⁶ *North Carolina*. Public Laws 1915 C 222 s 4.

²⁷ *Tennessee*. Public Acts 1911 C 58 s 18 amended 1918 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294. (Counties of 148,000 or more.)

²⁸ *Utah*. Compiled Laws 1907 s 720x33.

²⁹ *Alabama*. General Laws 1915 No 506 s 4.

³⁰ *Louisiana*. Constitution 1913 art 118 s 2.

³¹ *Massachusetts*. Revised Laws 1902 C 86 s 16; 1906 C 413 s 6 amended 1912 C 187 and 1916 C 243.

³² *Missouri*. 1917 p 195 s 5. (So far as practicable. Applies to counties of less than 50,000.)

³³ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 3) amended 1915 C 96 and 1917 C 74.

³⁴ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 487. (Applies to State.) 1910 C 611 s 7; 1913 C 270 s 7. (Monroe and Ontario Counties.) 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 517, 1914 C 124 and 1917 C 571. (Buffalo.) 1918 C 108. (City of Olean.) 1918 C 464. (Chautauqua County.)

³⁵ *North Carolina*. Public Laws 1915 C 222 s 4. (So far as practicable.)

Oregon,¹ Pennsylvania,² Rhode Island,³ Tennessee,⁴ Utah,⁵ and Washington.⁶ In Iowa,⁷ Kansas,⁸ and Texas⁹ the law requires the court to be always in session for hearing juvenile cases. In the District of Columbia¹⁰ court is opened the first Monday of every month and may continue as long as necessary for transaction of business. The Denver¹¹ court has three terms opening the second Tuesday in January, April, and September, respectively. Indiana¹² provides that sessions may be held irrespective of the terms of the circuit court. In Baltimore¹³ trials may be held at such times as necessary. The judge may act in vacation in Mississippi,¹⁴ Nebraska,¹⁵ Virginia,¹⁶ and West Virginia.¹⁷ In Tennessee¹⁸ the court shall be open "at all reasonable times." In Arkansas,¹⁹ New Jersey,²⁰ New Mexico,²¹ Pennsylvania,²² and Utah²³ the judge determines when the court shall be held.

C. PRIVACY.

The public may be excluded from trials in the juvenile court in Alabama,²⁴ California,²⁵ Delaware,²⁶ Georgia,²⁷ Indiana,²⁸ Iowa,²⁹ Kentucky,³⁰ Massachusetts,³¹ Michigan,³² Minnesota,³³ Mississippi,³⁴ Mon-

¹ Oregon. Lord's Oregon Laws 1910 s 4406 amended 1913 C 249 and 1915 C 147.

² Pennsylvania. 1903 p 274 s 1.

³ Rhode Island. 1915 C 1185 s 13 amended 1917 C 1546.

⁴ Tennessee. Public Acts 1911 C 58 s 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. (Counties of 148,000 or more.)

⁵ Utah. Compiled Laws 1907 s 720x33.

⁶ Washington. 1913 C 160 s 10.

⁷ Iowa. Supplement 1913 s 254-a13. (But hearing requiring notice shall be held only in term time.)

⁸ Kansas. General Statutes 1915 s 3065 amended 1917 C 154.

⁹ Texas. Code of Criminal Procedure 1911 art 1201 amended 1913 C 112.

¹⁰ District of Columbia. 34 U. S. Statutes at Large p 73 s 19.

¹¹ Colorado. Revised Statutes 1906 s 1592.

¹² Indiana. Burns' Annotated Statutes 1914 s 1630.

¹³ Maryland. Code of Public Local Laws art 4 s 623A amended 1902 C 611, 1904 C 521, and 1910 C 41.

¹⁴ Mississippi. 1916 C 111 s 7.

¹⁵ Nebraska. Revised Statutes 1913 s 1245.

¹⁶ Virginia. 1914 C 350 s 13.

¹⁷ West Virginia. 1915 C 70 s 2 amended 1917 C 63.

¹⁸ Tennessee. Public Acts 1911 C 58 s 3 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294.

¹⁹ Arkansas. 1911 A 215 s 1 amended 1917 A 420.

²⁰ New Jersey. 1912 C 353 s 8.

²¹ New Mexico. 1917 C 85 s 5. (Applies only to cases of dependent and neglected children.)

²² Pennsylvania. 1913 p 711 s 9 amended 1915 p 988. (Applies to Philadelphia.)

²³ Utah. 1913 C 54 s 17.

²⁴ Alabama. General Laws 1915 No 506 s 4; Local Laws 1915 No 361 s 9.

²⁵ California. 1915 C 631 s 16a amended 1917 C 627 and C 634. (Upon request of child or parent or guardian.)

²⁶ Delaware. Revised Code 1915 s 3834. (So far as may be lawfully done.)

²⁷ Georgia. 1915 No 210 s 11 amended 1916 No 575.

²⁸ Indiana. Burns' Annotated Statutes 1914 s 1633.

²⁹ Iowa. Supplement 1913 s 254-a19.

³⁰ Kentucky. Carroll's Statutes 1915 s 331e.4.

³¹ Massachusetts. 1906 C 413 s 6 amended 1912 C 187 and 1916 C 243; 1906 C 489 s 5 amended 1918 C 257 s 41/3.

³² Michigan. Compiled Laws 1915 s 2013.

³³ Minnesota. 1917 C 397 s 24.

³⁴ Mississippi. 1916 C 111 s 14.

tana,¹ New Jersey,² New Mexico,³ New York,⁴ North Carolina,⁵ Oregon,⁶ Rhode Island,⁷ Utah,⁸ and Washington.⁹

The law prohibits any publication of the case in the newspapers in Arkansas,¹⁰ Colorado,¹¹ Nevada,¹² New Hampshire,¹³ North Dakota,¹⁴ South Dakota,¹⁵ and West Virginia.¹⁶

It is unlawful in Colorado¹⁷ to take the photograph or to make a sketch of any child in court.

The court record may be withheld from the public in Alabama,¹⁸ Georgia,¹⁹ Minnesota,²⁰ New Jersey,²¹ New York,²² Rhode Island,²³ Virginia,²⁴ and Washington.²⁵ The name of the child must not be given in the annual reports of the court in Arkansas,²⁶ Colorado,²⁷ Delaware,²⁸ Idaho,²⁹ Kentucky,³⁰ Montana,³¹ Oklahoma,³² Washington,³³ and West Virginia.³⁴

¹ *Montana*. 1911 C 122 s 8.

² *New Jersey*. 1912 C 353 s 8. (Applies to Essex and Hudson Counties only.)

³ *New Mexico*. 1917 C 4 s 7.

⁴ *New York*. 1910 C 659 s 34-s added by 1915 C 531. (New York City.) 1910 C 611 s 7. (Monroe County.) 1913 C 270 s 7. (Ontario County.) 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 517a, 1914 C 124, and 1917 C 571. (Buffalo.)

⁵ *North Carolina*. Public Laws 1915 C 222 s 4.

⁶ *Oregon*. Lord's Oregon Laws 1910 s 4408 amended 1913 C 249 and 1915 C 147.

⁷ *Rhode Island*. 1915 C 1185 s 13 amended 1917 C 1546.

⁸ *Utah*. Compiled Laws 1907 s 720x33.

⁹ *Washington*. 1913 C 160 s 10.

¹⁰ *Arkansas*. 1911 A 215 s 1 amended 1917 A 420.

¹¹ *Colorado*. 1913 C 51 ss 1, 2, and 4.

¹² *Nevada*. Revised Laws 1912 s 728.

¹³ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 3) amended 1915 C 96 and 1917 C 74.

¹⁴ *North Dakota*. Compiled Laws 1913 s 11406.

¹⁵ *South Dakota*. 1915 C 119 s 1.

¹⁶ *West Virginia*. 1915 C 70 s 1.

¹⁷ *Colorado*. 1913 C 51 ss 1, 2, and 4.

¹⁸ *Alabama*. Local Laws 1915 No 361 s 9. (Jefferson County.)

¹⁹ *Georgia*. 1915 No 210 s 11 amended 1916 No 575.

²⁰ *Minnesota*. 1917 C 397 s 24.

²¹ *New Jersey*. 1912 C 353 s 8; 1918 C 82. (Essex and Hudson Counties.)

²² *New York*. 1910 C 659 amended 1911 C 721, 1913 C 691, and 1915 C 531. (New York City.) 1910 C 611 s 7. (Monroe County.) 1913 C 270 s 7. (Ontario County.) 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 517a, 1914 C 124 and 1917 C 571. (Buffalo.) 1918 C 464 s 2. (Chautauqua County.)

²³ *Rhode Island*. 1915 C 1185 s 13 amended 1917 C 1546.

²⁴ *Virginia*. 1914 C 57 s 8.

²⁵ *Washington*. 1913 C 160 s 10.

²⁶ *Arkansas*. 1911 A 215 s 6 amended 1917 A 420.

²⁷ *Colorado*. Revised Statutes 1908 s 587.

²⁸ *Delaware*. Revised Code 1915 s 3831.

²⁹ *Idaho*. 1911 C 159 s 153 amended 1917 C 84.

³⁰ *Kentucky*. Carroll's Statutes 1915 s 331a.2.

³¹ *Montana*. 1911 C 122 s 3.

³² *Oklahoma*. Revised Laws 1910 s 4415.

³³ *Washington*. 1913 C 160 s 10.

³⁴ *West Virginia*. 1915 C 70 s 25 amended 1917 C 68.

D. WOMAN ASSISTANT TO THE JUDGE.

California¹ and New Mexico² are the only States that specifically provide by law for the appointment of a woman to hear cases of girls brought before the court. Colorado,³ Georgia,⁴ Mississippi,⁵ North Dakota,⁶ and Chautauqua County, N. Y.,⁷ make provision for the appointment by the judge of other persons to hear cases. Rhode Island⁸ requires that a woman probation officer shall be present at all hearings of petitions concerning girls.

E. MENTAL AND PHYSICAL EXAMINATION.

The laws of Alabama,⁹ Idaho,¹⁰ Minnesota,¹¹ Ohio,¹² Virginia,¹³ and Chautauqua County, N. Y.,¹⁴ provide that the court may require the child to be examined mentally and physically by a competent physician. In Illinois¹⁵ and New York¹⁶ a mental examination may be given; and in South Dakota¹⁷ there is provision for a physical examination.

F. THE JURY.

The Supreme Court of Pennsylvania¹⁸ has stated that, "Whether the child deserves to be saved by the State is no more a question for a jury than whether the father, if able to save it, ought to save it.

¹ *California*. 1915 C 631 s 19 ("a female referee shall be appointed where possible"); s 24 ("In all cases of female persons over the age of five years coming within the provisions of this act such persons shall be dealt with so far as possible by or in the presence of a woman * * *").

² *New Mexico*. 1917 C 4 s 6. ("Where the juvenile delinquent is a child under 10 years of age or a female, a woman may be appointed as referee.")

³ *Colorado*. 1909 C 158. (The court may appoint a referee or master of discipline to hear cases and report to the judge, who may affirm findings or review case.)

⁴ *Georgia*. 1915 No 210 s 29 amended 1916 No 575. (One or more probation officers may be appointed as referee on the first instance. The court may affirm judgment or review case.)

⁵ *Mississippi*. 1916 C 111 s 23. (Judge may appoint one or more persons as probation officers to act as referee, to hear cases, and to make report to the judge, together with recommendations.)

⁶ *North Dakota*. 1915 C 179 s 1. (Judge may appoint some suitable, discreet person of either sex of good moral character as juvenile commissioner, with power to examine cases, etc. If child is to be removed from custody of its parents, the final hearing shall be before the judge.)

⁷ *New York*. 1918 C 464 s 15. (A lawyer or other suitable person. Judgments confirmed by court.)

⁸ *Rhode Island*. 1915 C 1185 ss 18 and 24 amended 1917 C 1546.

⁹ *Alabama*. Local Laws 1915 No 361 s 15. (Jefferson County.)

¹⁰ *Idaho*. Revised Code 1908 s 823. (Required before commitment to Idaho Industrial Training School.)

¹¹ *Minnesota*. 1917 C 397 s 10. (In counties of more than 150,000 the court may establish a department for physical and mental diagnosis.)

¹² *Ohio*. General Code 1910 s 1652-1 added 1913 p 864. (A child committed to an institution may be subjected to a physical and mental examination by a physician appointed by the juvenile court.)

¹³ *Virginia*. 1914 C 350 s 4. (Every child may be subjected to a mental and physical examination by a competent physician appointed by the court.)

¹⁴ *New York*. 1918 C 464 s 19. (Chautauqua County.)

¹⁵ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 341.

¹⁶ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 486 (9) amended 1912 C 169, 1915 C 480, and 1917 C 430. (The magistrate may cause an examination by two physicians of at least five years' experience in mental diseases.) 1910 C 659 s 39-a added 1913 C 891. (Applies to New York City. The judge may order a mental examination with the consent of the parents.)

¹⁷ *South Dakota*. 1915 C 119 s 28. (The court may require an examination by the county physician if of the same sex; if not, then by some other physician as the court may direct.)

¹⁸ *Commonwealth v. Fisher* 213 Pa St 48; 62 At 198 (1905).

The act is but an exercise by the State of its supreme power over the welfare of its children." The informal nature of the proceedings makes it almost impossible to use a jury. Nevertheless, many States have considered it necessary to preserve the constitutional rights, if not of the child, at least of the parent. The child, parent, or any person interested may demand a jury trial, or the court may on its own motion order it in Colorado,¹ Illinois,² Indiana,³ Kentucky,⁴ Michigan,⁵ Minnesota,⁶ Missouri,⁷ Montana,⁸ Nebraska,⁹ Nevada,¹⁰ New Jersey,¹¹ New Mexico,¹² Ohio,¹³ Oklahoma,¹⁴ South Dakota,¹⁵ Tennessee,¹⁶ Texas,¹⁷ Washington,¹⁸ West Virginia,¹⁹ and Wisconsin.²⁰ In Maryland,²¹ if the offense is one for which a jury trial may be legally demanded, the child may demand a jury, and the judge shall direct that the case be tried as other criminal cases are tried. In the District of Columbia²² the child is entitled to a jury unless it is waived in open court. In Arizona,²³ Arkansas,²⁴ Iowa,²⁵ and Wyoming²⁶ all trials shall be without jury. In Illinois,²⁷ Michigan,²⁸ South Dakota,²⁹ and Wisconsin³⁰ the law provides for a jury of 6 if any is called, and in Colorado³¹ and Nevada³² it may be either 6 or 12.

¹ *Colorado*. Revised Statutes 1908 ss 553, 587, 1551, and 1602.

² *Illinois*. Hurd's Revised Statutes 1917 C 23 s 170.

³ *Indiana*. Burns' Annotated Statutes 1914 s 1632.

⁴ *Kentucky*. Carroll's Statutes 1915 s 331e.2.

⁵ *Michigan*. Compiled Laws 1915 s 2012.

⁶ *Minnesota*. 1917 C 397 s 2.

⁷ *Missouri*. 1911 p 177 s 2; 1917 p 195 s 2.

⁸ *Montana*. 1911 C 122 s 14 amended 1915 C 52.

⁹ *Nebraska*. Revised Statutes 1913 s 1245.

¹⁰ *Nevada*. Revised Laws 1912 s 729.

¹¹ *New Jersey*. Compiled Statutes 1910 p 1887 ss 208 and 212; 1912 C 353 s 8.

¹² *New Mexico*. 1917 C 85 s 5.

¹³ *Ohio*. General Code 1910 s 1651 amended 1913 p 864.

¹⁴ *Oklahoma*. Revised Laws 1910 s 4413.

¹⁵ *South Dakota*. 1915 C 119 s 32.

¹⁶ *Tennessee*. Public Acts 1911 C 58 s 2 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294.

¹⁷ *Texas*. Code of Criminal Procedure 1911 art 1198 amended 1913 C 112 s 4.

¹⁸ *Washington*. 1913 C 160 s 2.

¹⁹ *West Virginia*. 1915 C 70 s 2 amended 1917 C 63.

²⁰ *Wisconsin*. Statutes 1915 s 573-2.7.

²¹ *Maryland*. 1916 C 326 s 7.

²² *District of Columbia*. 34 U. S. Statutes at Large p 73 s 12.

²³ *Arizona*. Revised Statutes 1913 (Civil Code) s 3566.

²⁴ *Arkansas*. 1911 A 215 s 2 amended 1917 A 420.

²⁵ *Iowa*. Supplemental Supplement 1915 s 254-a16.

²⁶ *Wyoming*. Compiled Laws 1910 s 3128.

²⁷ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 170.

²⁸ *Michigan*. Compiled Laws 1915 s 2012.

²⁹ *South Dakota*. 1915 C 119 s 32.

³⁰ *Wisconsin*. Statutes 1915 s 573-2.7.

³¹ *Colorado*. Revised Statutes 1908 ss 553, 587, 1551.

³² *Nevada*. Revised Laws 1912 s 729.

G. APPEAL.

Special provision for appeal from the decision of the juvenile court is made in Alabama,¹ Arkansas,² California,³ Colorado,⁴ Connecticut,⁵ Delaware,⁶ the District of Columbia,⁷ Georgia,⁸ Idaho,⁹ Illinois,¹⁰ Indiana,¹¹ Iowa,¹² Kansas,¹³ Louisiana,¹⁴ Massachusetts,¹⁵ Mississippi,¹⁶ Missouri,¹⁷ Montana,¹⁸ Nebraska,¹⁹ Nevada,²⁰ part of New Jersey,²¹ New Mexico,²² part of New York,²³ North Dakota,²⁴ Pennsylvania,²⁵ Rhode Island,²⁶ South Carolina,²⁷ South Dakota,²⁸ Texas,²⁹ Utah,³⁰ Vermont,³¹ Virginia,³² and Wisconsin.³³

¹ *Alabama*. General Laws 1915 No. 506 s 8. (To any court having equity jurisdiction.) Local Laws 1915 No 128 s 9. (Mobile County. To city court.) Local Laws 1915 No 361 s 9. (Jefferson County. To any court having equity jurisdiction.)

² *Arkansas*. 1911 A 215 s 21 amended 1917 A 420. (To circuit court as other cases appealed from county court.)

³ *California*. 1915 C 631 s 23 amended 1917 C 627 and 634.

⁴ *Colorado*. Revised Statutes 1908 ss 553 and 1604. (To the supreme court.)

⁵ *Connecticut*. General Statutes 1918 s 1870. (To court of common pleas.)

⁶ *Delaware*. Revised Code 1915 s 3837A added 1917 C 253. (Resident associate justice of New Castle County.)

⁷ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 22. (Court of appeals of the District of Columbia.)

⁸ *Georgia*. 1915 No 210 s 17 amended 1916 No 575. (To the supreme court.)

⁹ *Idaho*. 1911 C 159 s 165 amended 1917 C 84. (Delinquency proceedings may be reviewed on questions of law only.)

¹⁰ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 190d. (May be reviewed by writ of error.)

¹¹ *Indiana*. Burns' Annotated Statutes 1914 s 1635. (To the appellate court except when there has been a plea of guilty.)

¹² *Iowa*. Supplemental Supplement 1915 s 254-a16. (To the supreme court.)

¹³ *Kansas*. General Statutes 1915 s 3076. (To district court.)

¹⁴ *Louisiana*. Constitution 1913 art 118 s 1. (To the supreme court on matters of law only.)

¹⁵ *Massachusetts*. 1906 C 413 s 5 amended 1912 C 187 and 1916 C 243; 1911 C 175. (To the superior court.)

¹⁶ *Mississippi*. 1916 C 111 s 24. (May be taken as in civil cases.)

¹⁷ *Missouri*. 1911 p. 177 s 20; 1917 p. 196 s 8.

¹⁸ *Montana*. 1911 C 122 s 10. (Only for person over 17.)

¹⁹ *Nebraska*. Revised Statutes 1913 s 1245. (To the district court.)

²⁰ *Nevada*. Revised Laws 1912 s 753. (To the supreme court.)

²¹ *New Jersey*. 1912 C 353 s 9; 1918 C 82. (Essex and Hudson Counties. On questions of law.)

²² *New Mexico*. 1917 C 4 s 14. (To the supreme court.)

²³ *New York*. 1910 C 659 s 40 amended 1911 C 721, 1913 C 691, and 1915 C 531. (New York City. Appeal as in cases brought by indictment.) 1910 C 611 s 9; 1913 C 270 s 9. (Monroe and Ontario Counties. To the appellate division of the supreme court.) 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 530, 1914 C 124, and 1917 C 571. (Buffalo. To the county court.) 1918 C 464 s 9. (Chautauqua County To appellate division of the supreme court.)

²⁴ *North Dakota*. Compiled Laws 1913 s 11426. (As in criminal cases.)

²⁵ *Pennsylvania*. 1915 p 652 ss 1 and 2. (To the superior court of the Commonwealth.)

²⁶ *Rhode Island*. 1915 C 1185 s 12 amended 1917 C 1546. (To the superior court.)

²⁷ *South Carolina*. 1917 No 73 s 9. (To the circuit court.)

²⁸ *South Dakota*. 1915 C 119 s 34. (To the circuit court.)

²⁹ *Texas*. Code of Criminal Procedure 1911 art 1197 amended 1913 C 112 and 1918 C 26. (To the court of criminal appeals of Texas.)

³⁰ *Utah*. 1913 C 54 s 11. (Appeal to the supreme court from any order depriving the parent of custody. Appeal from decision in cases of contributing to dependency or delinquency may be taken to the district court.)

³¹ *Vermont*. General Laws 1917 s 7324. (As in criminal cases.)

³² *Virginia*. 1914 C 350 ss 8 and 10. (As in other cases.)

³³ *Wisconsin*. Statutes 1915 s 573-6.3. (To the supreme court as in civil action.)

H. USE OF EVIDENCE IN OTHER TRIALS.

The Illinois law provides that "a disposition of any child under this act or any evidence given in such cause, shall not, in any civil, criminal or other cause or proceeding whatever in any court, be lawful or proper evidence against such child for any purpose whatever except in subsequent cases against the same child under this act."¹ A similar provision is contained in the laws of Alabama,² Arizona,³ Arkansas,⁴ Colorado,⁵ Delaware,⁶ Idaho,⁷ Kentucky,⁸ Louisiana,⁹ Massachusetts,¹⁰ Michigan,¹¹ Minnesota,¹² Missouri,¹³ Montana,¹⁴ Nevada,¹⁵ New Hampshire,¹⁶ New Jersey,¹⁷ North Dakota,¹⁸ Ohio,¹⁹ Oklahoma,²⁰ Rhode Island,²¹ South Dakota,²² Tennessee,²³ Texas,²⁴ Utah,²⁵ West Virginia,²⁶ and Wisconsin.²⁷ The law applying to New York City²⁸ provides that the records of the children's court shall be evidence in the courts of the State to the same extent as is provided by the law concerning courts of special sessions.

¹ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 169.

² *Alabama*. General Laws 1915 No 506 s 14; Local Laws 1915 No 128 s 13.

³ *Arizona*. 1917 C 18. (Except within two years of discharge from an institution.)

⁴ *Arkansas*. 1911 A 215 s 1 amended 1917 A 420.

⁵ *Colorado*. Revised Statutes 1906 s 586.

⁶ *Delaware*. Revised Code 1915 s 3829.

⁷ *Idaho*. 1911 C 159 s 152 amended 1917 C 84.

⁸ *Kentucky*. Carroll's Statutes 1915 s 331a.1.

⁹ *Louisiana*. Constitution 1913 art 118 s 4.

¹⁰ *Massachusetts*. 1906 C 413 s 10 amended 1912 C 187 and 1916 C 243.

¹¹ *Michigan*. Compiled Laws 1915 s 2011.

¹² *Minnesota*. 1917 C 397 s 19.

¹³ *Missouri*. 1911 p 177 s 1; 1917 p 195 s 1.

¹⁴ *Montana*. 1911 C 122 s 2.

¹⁵ *Nevada*. Revised Laws 1912 s 728.

¹⁶ *New Hampshire*. 1917 C 31 s 3. (Except within two years after discharge from an institution.)

¹⁷ *New Jersey*. Compiled Statutes 1910 p 1887 s 207 amended 1916 C 212.

¹⁸ *North Dakota*. Compiled Laws 1913 s 11406.

¹⁹ *Ohio*. General Code 1910 s 1669.

²⁰ *Oklahoma*. Revised Laws 1910 s 4412.

²¹ *Rhode Island*. 1915 C 1185 s 20 amended 1917 C 1546.

²² *South Dakota*. 1915 C 119 s 1.

²³ *Tennessee*. Public Acts 1911 C 58 s 1 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294; Private Acts 1913 C 277 s 9 amended 1915 C 292.

²⁴ *Texas*. Code of Criminal Procedure 1911 art 1197 amended 1913 C 112 and 1918 C 26.

²⁵ *Utah*. 1913 C 54 s 16.

²⁶ *West Virginia*. 1915 C 70 s 1 amended 1917 C 63.

²⁷ *Wisconsin*. Statutes 1915 s 573-6.2.

²⁸ *New York*. 1910 C 659 s 34-j added by 1915 C 531.

V. DISPOSITION OF THE CASE.

A. RELIGIOUS BELIEF OF PARENTS RESPECTED.

The principle that the religious belief of the parents should be respected in disposing of their children would probably govern most judges without express legal enactment; but the legislatures of the following 24 States have provided expressly for the application of this principle in the disposition of children: Alabama,¹ Arizona,² Arkansas,³ California,⁴ Colorado,⁵ Georgia,⁶ Illinois,⁷ Iowa,⁸ Kentucky,⁹ Massachusetts,¹⁰ Minnesota,¹¹ Mississippi,¹² Missouri,¹³ Montana,¹⁴ Nebraska,¹⁵ Nevada,¹⁶ New Hampshire,¹⁷ New Jersey,¹⁸ New York,¹⁹ North Dakota,²⁰ Ohio,²¹ Pennsylvania,²² South Dakota,²³ and West Virginia.²⁴

B. CIVIL STATUS OF CHILD.

In the case of delinquent children it is also necessary to have regard to the effect of court action on the later civil status of the child. In the statutes of Alabama,²⁵ Arizona,²⁶ California,²⁷ Colorado,²⁸ the District of Columbia,²⁹ Georgia,³⁰ Kansas,³¹ Minnesota,³² New Jersey,³³

¹ *Alabama*. General Laws 1915 No 506 s 7; Local Laws 1915 No 361 s 16.

² *Arizona*. Revised Statutes 1913 (Civil Code) s 3571.

³ *Arkansas*. 1911 A 215 s 13 amended 1917 A 420.

⁴ *California*. 1915 C 631 s 24.

⁵ *Colorado*. Revised Statutes 1908 s 558 amended 1913 p 694.

⁶ *Georgia*. 1915 No 210 s 34 amended 1916 No 575.

⁷ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 185.

⁸ *Iowa*. Supplement 1913 s 254-a27.

⁹ *Kentucky*. Carroll's Statutes 1915 s 331e.14.

¹⁰ *Massachusetts*. 1905 C 464 s 1.

¹¹ *Minnesota*. 1917 C 397 s 20.

¹² *Mississippi*. 1916 C 111 s 23.

¹³ *Missouri*. 1911 p 177 s 19; 1917 p 196 s 6.

¹⁴ *Montana*. 1911 C 122 s 16.

¹⁵ *Nebraska*. Revised Statutes 1913 s 1258.

¹⁶ *Nevada*. Revised Laws 1912 s 748.

¹⁷ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 17) amended 1915 C 96 and 1917 C 74.

¹⁸ *New Jersey*. 1912 C 353 s 15. (Applies to counties of the first class.)

¹⁹ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 490(5) amended 1912 C 169, 1915 C 430, and 1917 C 430; 1910 C 611 s 15; 1913 C 270 s 15.

²⁰ *North Dakota*. Compiled Laws 1913 s 11419.

²¹ *Ohio*. General Code 1910 s 1679.

²² *Pennsylvania*. 1903 p 274 s 9.

²³ *South Dakota*. 1915 C 119 s 22.

²⁴ *West Virginia*. 1915 C 70 s 22 amended 1917 C 63.

²⁵ *Alabama*. General Laws 1915 No 506 s 14; Local Laws 1915 No 128 s 13; No 361 s 9.

²⁶ *Arizona*. Revised Statutes 1913 (Civil Code) s 3570.

²⁷ *California*. 1915 C 631 s 5 amended 1917 C 627 and C 634.

²⁸ *Colorado*. Revised Statutes 1908 s 597.

²⁹ *District of Columbia*. 39 U. S. Statutes at Large C 92 p 56.

³⁰ *Georgia*. 1915 No 210 s 12 amended 1916 No 575.

³¹ *Kansas*. General Statutes 1915 s 3079.

³² *Minnesota*. 1917 C 397 s 21.

³³ *New Jersey*. 1912 C 353 s 8. (Essex and Hudson Counties.)

New Mexico,¹ part of New York,² North Dakota,³ Rhode Island,⁴ Tennessee,⁵ Texas,⁶ and Washington,⁷ provision is made to the effect that adjudication under the juvenile-court law shall not disqualify a person for holding a State or municipal office, that the child shall not be deemed a criminal, and the adjudication shall not be held a conviction.

C. DISPOSITION OF CASE.

The cases of both delinquent and dependent children may be disposed of by (1) dismissing; (2) continuing from time to time; (3) placing the child on probation, that is, leaving him in his home subject to the visitation of the probation officer; (4) appointing a guardian; (5) committing to an institution, agency, or organization. In the case of delinquent children, as has been pointed out, punishment may still be resorted to in a number of States. One State, namely, Alabama⁸ still allows a child to be bound out as an apprentice. These provisions will be summarized, first, with reference to delinquent, and second, with reference to dependent, children.

1. Delinquent children.

(a) *Probation*.—All States with the exception of Wyoming provide for the probation of juvenile delinquents.⁹ The child may be allowed

¹ *New Mexico*. 1917 C 4 s 5.

² *New York*. 1910 C 611 s 7; 1913 C 270 s 7; 1918 C 464 s 2. (Monroe, Ontario, and Chautauqua Counties.)

³ *North Dakota*. Compiled Laws 1913 s 10959.

⁴ *Rhode Island*. 1915 C 1185 s 20 amended 1917 C 1546.

⁵ *Tennessee*. Public Acts 1915 C 86 p 230; Private Acts 1913 C 277 s 9 amended 1915 C 292.

⁶ *Texas*. Code of Criminal Procedure 1911 art 1196 amended 1913 C 112 p 214.

⁷ *Washington*. 1913 C 160 s 10.

⁸ *Alabama*. General Laws 1915 No 506 s 7.

⁹ *Alabama*. General Laws 1915 No 506 s 7; Local Laws 1915 No 128 s 6. *Arizona*. Revised Statutes 1913 (Civil Code) ss 3566 and 3568. *Arkansas*. 1911 A 215 s 7 amended 1917 A 420. *California*. 1915 C 631 s 8 amended 1917 C 627 and C 634. *Colorado*. Revised Statutes 1908 ss 594, 599, 1557, 1558, 1559. *Connecticut*. General Statutes 1918 ss 6670 and 6671. *Delaware*. Revised Code 1915 ss 3816-3826, 3836. *District of Columbia*. 34 U. S. Statutes at Large p 73 s 5. *Florida*. 1911 C 6216 s 8 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332. *Georgia*. 1915 No 210 s 9 amended 1916 No 575 s 2. *Idaho*. 1911 C 159 s 157 amended 1917 C 84. *Illinois*. Hurd's Revised Statutes 1917 C 23 s 177. *Indiana*. Burns' Annotated Statutes 1914 s 1632. *Iowa*. Supplement 1913 s 254-a23. *Kansas*. General Statutes 1915 s 3070. *Kentucky*. Carroll's Statutes 1915 s 331e.7. *Louisiana*. Constitution 1913 art 118 s 4. *Maine*. Revised Statutes 1916 C 137 s 16. *Maryland*. 1916 C 326 s 8; Code of Public Local Laws art 4 s 886B amended 1902 C 611, 1904 C 514, and 1912 C 618. *Massachusetts*. 1913 C 457; 1906 C 413 amended 1912 C 187 and 1916 C 243. *Michigan*. Compiled Laws 1915 s 2015. *Minnesota*. 1917 C 397 ss 11 and 13. *Mississippi*. 1916 C 111 ss 10 and 23. *Missouri*. 1911 p 177 s 16; 1917 p 195 s 6. *Montana*. 1911 C 122 s 15. *Nebraska*. Revised Statutes 1913 s 1250. *Nevada*. Revised Laws 1912 s 736; s 734 amended 1917 C 63. *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 ss 9 and 15) amended 1915 C 96 and 1917 C 74. *New Jersey*. Compiled Statutes p 1887 s 212; 1912 C 353 s 8. *New Mexico*. 1917 C 4 s 9. *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 486 amended 1912 C 169, 1915 C 480, and 1917 C 436; 1910 C 659 s 99 amended 1911 C 721, 1913 C 601, and 1915 C 531; 1910 C 611 s 12; 1913 C 270 s 12; 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50; 1911 C 651 s 526, 1914 C 124, and 1917 C 571; 1918 C 464 s 7. *North Carolina*. Public Laws 1915 C 222 s 2. *North Dakota*. Compiled Laws 1913 s 11411. *Ohio*. General Code 1910 s 1652 amended 1913 p. 864. *Oklahoma*. Revised Laws 1910 s 4423. *Oregon*. Lord's Oregon Laws 1910 s 4416 amended 1913 C 249. *Pennsylvania*. 1903 p 274 s 4 amended 1911 p 959; s 6 amended 1911 p 5-3, 1913 p 1039, and 1915 p 304. *Rhode Island*. 1915 C 1185 s 10 amended 1917 C 1546. *South Carolina*. 1912 No 429 s 5; 1917 No 73 s 5. *South Dakota*. 1915 C 119 s 12. *Tennessee*. Public Acts 1911 C 58 s 9 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294. *Texas*. Code of Criminal Procedure 1911 art 1203 amended 1913 C 112. *Utah*. 1913 C 54 s 8. *Ver-ont*. General Laws 1917 s 7329. *Virginia*. 1914 C 350 s 7. *Washington*. 1913 C 160 s 10. *West Virginia*. 1915 C 70 s 9 amended 1917 C 63. *Wisconsin*. Statutes 1915 s 573-6.1.

to remain at home or may be placed in a suitable family under the supervision of a probation officer.

(b) *Appointment of guardian.*—A “reputable citizen of good moral character” may be appointed by the court as legal guardian of a delinquent child in Arizona,¹ Arkansas,² Florida,³ Illinois,⁴ Iowa,⁵ Kansas,⁶ Minnesota,⁷ Nebraska,⁸ Nevada,⁹ New Hampshire,¹⁰ North Dakota,¹¹ Oregon,¹² South Dakota,¹³ Tennessee,¹⁴ Vermont,¹⁵ Washington,¹⁶ West Virginia,¹⁷ Jefferson County, Ala.,¹⁸ and Chautauqua County, N. Y.¹⁹ An association or institution to which a child is committed becomes the legal guardian in Arizona,¹ Florida,³ Illinois,⁴ Iowa,⁵ Kansas,⁶ Minnesota,⁷ Nebraska,⁸ Nevada,⁹ New Hampshire,¹⁰ North Dakota,¹¹ Oregon,¹² South Dakota,¹³ Tennessee,¹⁴ Vermont,¹⁵ Washington,¹⁶ and West Virginia.¹⁷ In New Jersey²⁰ the State board of children’s guardians may be appointed guardian of a delinquent child. In Ohio²¹ all minors who in the judgment of the juvenile court require State institutional care shall be committed to the care and custody of the State board of administration, which becomes the sole and exclusive guardian. Such guardianship shall not include the control of the child’s property in Arizona, Arkansas, Kansas, Minnesota, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, South Dakota, Tennessee, Washington, and West Virginia.

(c) *Commitment.*—Public institutions for the care of delinquent children have been established in all States under various names—industrial schools, training schools, or reform schools. These may be supported as State institutions, and the juvenile-court laws²² provide for the commitment of children to these institutions.

¹ *Arizona.* Revised Statutes 1913 (Civil Code) ss 3566 and 3567.

² *Arkansas.* 1911 A 215 ss 7 and 12 amended 1917 A 420.

³ *Florida.* 1911 C 6216 s 7 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332.

⁴ *Illinois.* Hurd’s Revised Statutes 1917 C 23 ss 176 and 177; C 122 ss 324 and 328.

⁵ *Iowa.* Supplement 1913 s 254-a21.

⁶ *Kansas.* General Statutes 1915 ss 3072 and 3073.

⁷ *Minnesota.* 1917 C 397 ss 11, 12, and 16.

⁸ *Nebraska.* Revised Statutes 1913 s 1251.

⁹ *Nevada.* Revised Laws 1912 s 735.

¹⁰ *New Hampshire.* Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 14) amended 1915 C 96 and 1917 C 74.

¹¹ *North Dakota.* Compiled Laws 1913 s 11411; 1915 C 179 s 2.

¹² *Oregon.* 1910 s 4415.

¹³ *South Dakota.* 1915 C 119 ss 10, 11, and 12.

¹⁴ *Tennessee.* Public Acts 1911 C 58 s 8 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

¹⁵ *Vermont.* General Laws 1917 s 7330.

¹⁶ *Washington.* 1913 C 160 s 9.

¹⁷ *West Virginia.* 1915 C 70 ss 7, 10, and 29 amended 1917 C 63.

¹⁸ *Alabama.* Local Laws 1915 No 361 s 17.

¹⁹ *New York.* 1918 C 464 s 18.

²⁰ *New Jersey.* Compiled Statutes 1910 p 1887 s 225.

²¹ *Ohio.* General Code 1910 s 1841-1 added 1913 p 175.

²² *Alabama.* General Laws 1915 No 506 s 7. *Arizona.* Revised Statutes 1913 (Civil Code) ss 3568 and 3572. *Arkansas.* 1911 A 215 s 7 amended 1917 A 420. *California.* 1915 C 631 s 8 amended 1917 C 627 and C 634. *Colorado.* Revised Statutes 1908 s 594. *Connecticut.* General Statutes 1918 ss 1806 and 1822. *Delaware.*

In California,¹ Florida,² Illinois,³ Indiana,⁴ Kansas,⁵ Minnesota,⁶ Nevada,⁷ New Jersey,⁸ North Dakota,⁹ Oklahoma,¹⁰ Oregon,¹¹ South Dakota,¹² Tennessee,¹³ Texas,¹⁴ Virginia,¹⁵ and West Virginia¹⁶ it is also possible under the law to commit a delinquent child to an institution provided by the city or by the county; in Colorado,¹⁷ Delaware,¹⁸ Florida,¹⁹ Idaho,²⁰ Illinois,²¹ Indiana,²² Iowa,²³ Kentucky,²⁴ Louisiana,²⁵ Maryland,²⁶ Michigan,²⁷ Minnesota,²⁸ Missouri,²⁹

Revised Code 1915 ss 2192-2202, 2203-2213, 3836. *District of Columbia*. U. S. Revised Statutes Supplement 1901 C 847 p 1544 s 2; 34 U. S. Statutes at Large p 73 s 8. *Florida*. 1911 C 6216 s 8 amended 1913 C 6494, 1915 C 5919, and 1917 C 7332; 1915 C 6840 ss 1 and 2. *Georgia*. 1915 No 210 s 9 amended 1916 No 575. *Idaho*. 1911 C 159 s 157 amended 1917 C 84. *Illinois*. Hurd's Revised Statutes 1917 C 23 s 177. *Indiana*. Burns' Annotated Statutes 1914 s 1632. *Iowa*. Supplement 1913 s 254-a23. *Kansas*. General Statutes 1915 ss 10061-10064 10108-10110. *Kentucky*. Carroll's Statutes 1915 s 331e.7. *Louisiana*. Constitution 1913 art 118 s 7; 1918 No 143. *Maine*. Revised Statutes 1916 C 144. *Maryland*. 1916 C 326 s 8. *Massachusetts*. Revised Laws 1902 C 80 ss 27, 32, 33; 1906 C 413 s 8 amended 1912 C 187 and 1916 C 243. *Michigan*. Compiled Laws 1915 s 2015. *Minnesota*. 1917 C 397 s 13. *Mississippi*. 1916 C 111 s 10. *Missouri*. 1911 p 177 s 16; 1917 p 195 s 6. *Montana*. 1911 C 122 s 14 amended 1915 C 52. *Nebraska*. Revised Statutes 1913 s 1250. *Nevada*. Revised Laws 1912 s 736; 1913 C 254. *New Hampshire*. Public Statutes Supplement 1913 C 284; C 85 (Laws 1907 C 125 s 15) amended 1915 C 96 and 1917 C 74. *New Jersey*. Compiled Statutes 1910 p 1887 s 212; 1912 C 353 s 8, 1918 C 147. *New Mexico*. Statutes 1915 s 5107; 1917 C 4 s 9. *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 486 amended 1912 C 169, 1915 C 480, and 1917 C 430; art 196 s 2184 amended 1913 C 607; and s 2194; C 55 (State charities) s 184; s 213 amended 1910 C 449; and s 366. *North Carolina*. Public Laws 1915 C 222 s 2; 1917 C 255. *North Dakota*. Compiled Laws 1913 s 11411. *Ohio*. General Code 1910 s 1652 amended 913 p 864. *Oklahoma*. Revised Laws 1910 s 4423. *Oregon*. Lord's Oregon Laws 1910 s 4416 amended 1913, 1C 249. *Pennsylvania*. 1903 p 274 s 4 amended 1911 p 959; s 6 amended 1911 p 543, 1913 p 1039 and 1915 p 304. *Rhode Island*. 1915 C 1185 ss 10 and 15 amended 1917 C 1546. *General Laws 1909 C 354 s 46* amended 1915 C 1261. *South Carolina*. 1912 No 429 s 5; 1917 No 73 s 5. *South Dakota*. 1907 C 222; 1915 C 119 s 12. *Tennessee*. Public Acts 1911 C 58 s 7 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 s 1 and Private Acts 1917 C 294. *Texas*. Code Criminal Procedure 1911 art 1195 and 1202 amended 1913 C 112; art 1197 amended 1913 C 112 and 1918 C 26. *Utah*. 1913 C 54 s 10. *Vermont*. General Laws 1917 s 7329. *Virginia*. 1914 C 350 ss 1 and 2; 1914 C 170. *Washington*. 1913 C 160 s 8. *West Virginia*. 1915 C 70 s 9 amended 1917 C 63. *Wisconsin*. Statutes 1915 s 573-6.1. *Wyoming*. Compiled Statutes 1910 ss 3123-3126.

¹ *California*. 1915 C 631 s 8 amended 1917 C 627 and C 634.

² *Florida*. 1911 C 6216 s 8 amended 1913 C 6494, 1915 C 6919 and C 7332.

³ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 177.

⁴ *Indiana*. Burns' Annotated Statutes 1914 s 1632.

⁵ *Kansas*. General Statutes 1915 ss 3098, 3099.

⁶ *Minnesota*. 1917 C 397 s 13.

⁷ *Nevada*. Revised Laws 1912 s 736.

⁸ *New Jersey*. Compiled Statutes 1910 p 1887 s 212.

⁹ *North Dakota*. Compiled Laws 1913 s 11411.

¹⁰ *Oklahoma*. Revised Laws 1910 s 4423.

¹¹ *Oregon*. Lord's Oregon Laws 1910 s 4416 amended 1913 C 249.

¹² *South Dakota*. 1915 C 119 s 12.

¹³ *Tennessee*. Public Acts 1911 C 58 s 7 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

¹⁴ *Texas*. Code of Criminal Procedure 1911 art 1197 amended 1913 C 112 and 1918 C 26; art 1203 amended 1913 C 112.

¹⁵ *Virginia*. 1918 C 189. (County or city farms.)

¹⁶ *West Virginia*. 1915 C 70 s 9 amended 1917 C 63.

¹⁷ *Colorado*. Revised Statutes 1908 s 694.

¹⁸ *Delaware*. Revised Code 1915 s 3836.

¹⁹ *Florida*. 1911 C 6216 s 8 amended 1913 C 6494, 1915 C 6919 and C 7332.

²⁰ *Idaho*. 1911 C 159 s 157 amended 1917 C 84.

²¹ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 177.

²² *Indiana*. Burns' Annotated Statutes 1914 s 1632.

²³ *Iowa*. Supplement 1913 s 254-a23.

²⁴ *Kentucky*. Carroll's Statutes 1915 s 331e.7.

²⁵ *Louisiana*. Constitution 1913 art 118 s 4.

²⁶ *Maryland*. 1916 C 326 s 8.

²⁷ *Michigan*. Compiled Laws 1915 s 2015.

²⁸ *Minnesota*. 1917 C 397 s 13.

²⁹ *Missouri*. 1911 p 177 s 16.

Montana,¹ New York,² North Dakota,³ Ohio,⁴ Oklahoma,⁵ Oregon,⁶ Pennsylvania,⁷ South Dakota,⁸ Tennessee,⁹ Texas,¹⁰ Utah,¹¹ Vermont,¹² West Virginia,¹³ and Wisconsin¹⁴ the court may commit delinquent children to private institutions incorporated under the State law; while in Arkansas,¹⁵ Arizona,¹⁶ California,¹⁷ Colorado,¹⁸ Delaware,¹⁹ Florida,²⁰ Idaho,²¹ Illinois,²² Kansas,²³ Kentucky,²⁴ Minnesota,²⁵ Nebraska,²⁶ Nevada,²⁷ New York,²⁸ North Dakota,²⁹ Ohio,³⁰ Oklahoma,³¹ Oregon,³² Pennsylvania,³³ South Dakota,³⁴ Tennessee,³⁵ Vermont,³⁶ Virginia,³⁷ Washington,³⁸ Wisconsin,³⁹ and Wyoming⁴⁰ such children may be committed to duly accredited private associations organized for the care of delinquent and dependent children.

In addition to these institutions and associations, several States make use of other agencies. Delinquent children may be committed in the District of Columbia⁴¹ to the board of children's guardians;

¹ *Montana*. 1911 C 122 s 14 amended 1915 C 52.

² *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 486(5) amended 1912 C 160, 1915 C 480, and 1917 C 430.

³ *North Dakota*. Compiled Laws 1913 s 11411.

⁴ *Ohio*. General Code 1910 s 1652 amended 1913 p 864.

⁵ *Oklahoma*. Revised Laws 1910 s 4423.

⁶ *Oregon*. Lord's Oregon Laws 1910 s 4416 amended 1913 C 249.

⁷ *Pennsylvania*. 1903 p 274 s 4 amended 1911 p 959; s 6 amended 1911 p 543, 1913 p 1039, and 1915 p 304.

⁸ *South Dakota*. 1915 C 119 s 12.

⁹ *Tennessee*. Public Acts 1911 C 58 s 7 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294.

¹⁰ *Texas*. Code of Criminal Procedure 1911 art 1203 amended 1913 C 112.

¹¹ *Utah*. 1913 C 54 s 10.

¹² *Vermont*. General Statutes 1917 s 7329.

¹³ *West Virginia*. 1915 C 70 s 9 amended 1917 C 63.

¹⁴ *Wisconsin*. Statutes 1915 s 573-6.1.

¹⁵ *Arkansas*. 1911 A 215 s 7 amended 1917 A 420.

¹⁶ *Arizona*. Revised Statutes 1913 (Civil Code) s 3568.

¹⁷ *California*. 1915 C 631 s 8 amended 1917 C 627 and C 634.

¹⁸ *Colorado*. Revised Statutes 1908 s 594.

¹⁹ *Delaware*. Revised Code 1915 s 3836.

²⁰ *Florida*. 1911 C 6216 s 8 amended 1913 C 6494, 1915 C 6619, and 1917 C 7322.

²¹ *Idaho*. 1911 C 159 s 157 amended 1917 C 84.

²² *Illinois*. Hurd's Revised Statutes 1917 C 23 s 177.

²³ *Kansas*. General Statutes 1915 s 3073.

²⁴ *Kentucky*. Carroll's Statutes 1915 s 331e.7.

²⁵ *Minnesota*. 1917 C 397 s 13.

²⁶ *Nebraska*. Revised Statutes 1913 s 1250.

²⁷ *Nevada*. Revised Laws 1912 s 736.

²⁸ *New York*. 1918 C 464 s 7. (Chautauqua County.)

²⁹ *North Dakota*. Compiled Laws 1913 s 11411.

³⁰ *Ohio*. General Code 1910 s 1652 amended 1913 p 864.

³¹ *Oklahoma*. Revised Laws 1910 s 4423.

³² *Oregon*. Lord's Oregon Laws 1910 s 4416 amended 1913 C 249.

³³ *Pennsylvania*. 1903 p 274 s 4 amended 1911 p 959; s 6 amended 1911 p 543, 1913 p 1039, and 1915 p. 304.

³⁴ *South Dakota*. 1915 C 119 s 12.

³⁵ *Tennessee*. Public Acts 1911 C 58 s 7 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294.

³⁶ *Vermont*. General Laws 1917 s 7329.

³⁷ *Virginia*. 1914 C 350 ss 1 and 2.

³⁸ *Washington*. 1913 C 160 s 8.

³⁹ *Wisconsin*. Statutes 1915 s 573-6.1.

⁴⁰ *Wyoming*. Compiled Statutes 1910 ss 3123-3126.

⁴¹ *District of Columbia*. U. S. Revised Statutes Supplement 1901 C 847 p 1544 s 2; 34 U. S. Statutes at Large p 73 s 8.

in Vermont,¹ to the board of charities and probation; in Massachusetts,² to any institution to which they might be committed for violation of the law except a jail or house of correction; in Montana,³ to State penal or reformatory institutions (other than the industrial schools); and in Ohio,⁴ Wyoming,⁵ and Knox County, Tenn.,⁶ to the workhouse. The Delaware⁷ courts may under the law commit delinquent children to an institution organized in another State, the house of refuge in Philadelphia.

(d) *Separation from adult convicts.*—Arkansas,⁸ California,⁹ Florida,¹⁰ Illinois,¹¹ Indiana,¹² Iowa,¹³ Michigan,¹⁴ Minnesota,¹⁵ Missouri,¹⁶ Montana,¹⁷ Nebraska,¹⁸ Nevada,¹⁹ New Hampshire,²⁰ New Jersey,²¹ New York,²² North Carolina,²³ Ohio,²⁴ Oklahoma,²⁵ Oregon,²⁶ Pennsylvania,²⁷ Washington,²⁸ West Virginia,²⁹ Wisconsin,³⁰ and Wyoming³¹ require confinement in separate rooms, yards, and inclosures if children are committed to institutions in which adult convicts are confined.

(e) *Fines and restitution.*—A child may still be fined for an offense or for violating the conditions of probation in the District

¹ Vermont. General Laws 1917 s 7329.

² Massachusetts. 1906 C 413 s 8 amended 1912 C 187 and 1916 C 243.

³ Montana. 1911 C 122 s 14 amended 1915 C 52.

⁴ Ohio. General Code 1910 ss 4113-4115 and 4138.

⁵ Wyoming. Compiled Statutes 1910 s 3127-3128.

⁶ Tennessee. Private Acts 1913 C 277 s 9 amended 1915 C 292.

⁷ Delaware. Revised Code 1915 s 3824.

⁸ Arkansas. 1911 A 215 s 11 amended 1917 A 420.

⁹ California. 1915 C 631 s 14 amended 1917 C 627 and C 634.

¹⁰ Florida. 1911 C 6216 s 11 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332.

¹¹ Illinois. Hurd's Revised Statutes 1917 C 23 s 179.

¹² Indiana. Burns' Annotated Statutes 1914 s 1632.

¹³ Iowa. Supplement 1913 s 254-a24.

¹⁴ Michigan. Compiled Laws 1915 s 2018.

¹⁵ Minnesota. 1917 C 265.

¹⁶ Missouri. 1911 p 177 s 13.

¹⁷ Montana. 1911 C 122 s 14 amended 1915 C 52.

¹⁸ Nebraska. Revised Statutes 1913 s 1254.

¹⁹ Nevada. Revised Laws 1912 s 742.

²⁰ New Hampshire. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 16) amended 1915 C 96 and 1917 C 74.

²¹ New Jersey. Compiled Statutes 1910 p 1874 ss 163 and 164; 1918 C 147 (Prohibits commitment to State prison).

²² New York. Consolidated Laws 1909 C 40 (Penal) art 44 s 486(8) amended 1912 C 169, 1915 C 480, and 1917 C 430.

²³ North Carolina. Public Laws 1915 C 222 s 5.

²⁴ Ohio. General Code 1910 s 3169.

²⁵ Oklahoma. Revised Laws 1910 s 4425.

²⁶ Oregon. Lord's Oregon Laws 1910 s 4418.

²⁷ Pennsylvania. 1893 p 459 s 1.

²⁸ Washington. 1913 C 160 s 11.

²⁹ West Virginia. 1915 C 70 s 16 amended 1917 C 63.

³⁰ Wisconsin. Statutes 1915 s 573-9.1.

³¹ Wyoming. Compiled Laws 1910 s 1097.

of Columbia,¹ Indiana,² Massachusetts,³ Montana,⁴ New Jersey,⁵ New York,⁶ Ohio,⁷ and Utah,⁸ and Knox County, Tenn.⁹

In Georgia,¹⁰ Indiana,¹¹ Kentucky,¹² Massachusetts,¹³ and Montana,¹⁴ if the offense is malicious trespass, the court may order the damage to be made good; or if petit larceny and the goods are not returned, the child may be required to pay.

2. Dependent children.

(a) *Probation*.—The court may allow a dependent or neglected child to remain in its own home subject to the friendly visitation of a probation officer in Alabama,¹⁵ Arizona,¹⁶ Arkansas,¹⁷ California,¹⁸ Colorado,¹⁹ Georgia,²⁰ Illinois,²¹ Kansas,²² Kentucky,²³ Louisiana,²⁴ Maryland,²⁵ Massachusetts,²⁶ Michigan,²⁷ Minnesota,²⁸ Mississippi,²⁹ Missouri,³⁰ Montana,³¹ Nebraska,³² Nevada,³³ North Dakota,³⁴ Pennsylvania,³⁵ South Carolina,³⁶ South Dakota,³⁷ Texas,³⁸ Washington,³⁹ West Virginia,⁴⁰ and Wisconsin.⁴¹

(b) *Appointment of guardian*.—An individual may be appointed by the juvenile court as legal guardian of a dependent child in

¹ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 12.

² *Indiana*. Burns' Annotated Statutes 1914 s 1632.

³ *Massachusetts*. 1906 C 413 s 9 amended 1912 C 187 and 1916 C 243. (Fine not to exceed \$5 for violation of probation. If not paid may be sent to jail.)

⁴ *Montana*. 1911 C 122 s 14 amended 1915 C 52.

⁵ *New Jersey*. Compiled Statutes 1909 p 1887 s 212.

⁶ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 486(6) amended 1912 C 169, 1915 C 480 and 1917 C 430. (May be fined for smoking, not to exceed \$10.)

⁷ *Ohio*. General Code 1910 s 1654 amended 1913 p 864. (If for best interest of child, not to exceed \$10.)

⁸ *Utah*. 1913 C 54. (Not to exceed \$25.)

⁹ *Tennessee*. Private Acts 1913 C 277 s 9 amended 1915 C 292. (Knox County.)

¹⁰ *Georgia*. 1915 No 210 s 36 amended 1916 No 575.

¹¹ *Indiana*. Burns' Annotated Statutes 1914 s 1632.

¹² *Kentucky*. Carroll's Statutes 1915 s 331e.16.

¹³ *Massachusetts*. 1906 C 413 s 12 amended 1912 C 187 and 1916 C 243; 1907 C 335.

¹⁴ *Montana*. 1911 C 122 s 14 amended 1915 C 52.

¹⁵ *Alabama*. General Laws 1915 No 506 s 7; Local Laws 1915 No 128 s 6, No 361 s 13.

¹⁶ *Arizona*. Revised Statutes 1913 (Civil Code) ss 3566 and 3568.

¹⁷ *Arkansas*. 1911 A 215 s 7 amended 1917 A 420.

¹⁸ *California*. 1915 C 631 s 8 amended 1917 C 627 and C 634.

¹⁹ *Colorado*. Revised Statutes 1908 s 558 amended 1913 p 694.

²⁰ *Georgia*. 1915 No 210 s 9 amended 1916 No 575 s 2.

²¹ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 175.

²² *Kansas*. General Statutes 1915 s 3070.

²³ *Kentucky*. Carroll's Statutes 1915 s 331e.9.

²⁴ *Louisiana*. Constitution 1913 art 118 s 4.

²⁵ *Maryland*. 1916 C 326 s 8.

²⁶ *Massachusetts*. 1913 C 457.

²⁷ *Michigan*. Compiled Laws 1915 s 2015.

²⁸ *Minnesota*. 1917 C 397 s 11.

²⁹ *Mississippi*. 1916 C 111 s 10.

³⁰ *Missouri*. 1911 p 177 s 5.

³¹ *Montana*. Revised Code 1907 s 7835.

³² *Nebraska*. Revised Statutes 1913 s 1250.

³³ *Nevada*. Revised Laws 1912 s 734 amended 1917 C 68.

³⁴ *North Dakota*. Compiled Laws 1913 s 11409.

³⁵ *Pennsylvania*. 1908 p 274 s 4 amended 1911 p 900.

³⁶ *South Carolina*. 1917 No 73 s 4; 1912 No 429 s 4.

³⁷ *South Dakota*. 1915 C 119 s 10.

³⁸ *Texas*. Revised Civil Statutes 1911 art 2190.

³⁹ *Washington*. 1913 C 160 s 10.

⁴⁰ *West Virginia*. 1915 C 70 s 7 amended 1917 C 63.

⁴¹ *Wisconsin*. Statutes 1915 s 573—5.4.

Arkansas,¹ Colorado,² Illinois,³ Nevada,⁴ North Dakota,⁵ Ohio,⁶ South Dakota,⁷ West Virginia,⁸ Jefferson County, Ala.,⁹ and Monroe and Ontario Counties, N. Y.¹⁰ An institution or association to which the child is committed becomes the legal guardian in Arizona,¹¹ Florida,¹² Idaho,¹³ Illinois,¹⁴ Iowa,¹⁵ Kansas,¹⁶ Minnesota,¹⁷ Missouri,¹⁸ Montana,¹⁹ Nebraska,²⁰ Nevada,²¹ New Hampshire,²² New Mexico,²³ North Dakota,²⁴ Ohio,²⁵ Oklahoma,²⁶ Oregon,²⁷ South Dakota,²⁸ Tennessee,²⁹ Texas,³⁰ Utah,³¹ Vermont,³² Washington,³³ West Virginia,³⁴ and Wisconsin.³⁵

As in the case of delinquent children, this is guardianship of the person only and does not include control of the child's property in Arizona, Arkansas, Colorado, Kansas, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Washington, and West Virginia.

(c) *Commitment*.—There is less uniformity in the provisions of the various States for the commitment of dependent than of delinquent children. State homes exclusively for dependent children have

¹ *Arkansas*. 1911 A 215 ss 7 and 12 amended 1917 A 420.

² *Colorado*. Revised Statutes 1908 s 557.

³ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 177.

⁴ *Nevada*. Revised Laws 1912 s 734 amended 1917 C 63.

⁵ *North Dakota*. Compiled Laws 1913 ss 11409, 11410, and 11414.

⁶ *Ohio*. General Code 1910 ss 1653 and 1672 amended 1913 p 864.

⁷ *South Dakota*. 1915 C 119 ss 10, 11, and 12.

⁸ *West Virginia*. 1915 C 70 ss 7, 10 and 29 amended 1917 C 63.

⁹ *Alabama*. Local Laws 1915 No 361 s 17.

¹⁰ *New York*. 1910 C 611 s 16; 1913 C 270 s 16.

¹¹ *Arizona*. Revised Statutes 1913 (Civil Code) ss 3566 and 3567.

¹² *Florida*. 1911 C 6216 s 7 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332.

¹³ *Idaho*. 1909 p 38 s 2 amended 1911 C 185 and C 193.

¹⁴ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 176; C 122 ss 324 and 329.

¹⁵ *Iowa*. Supplement 1913 s 254-a21.

¹⁶ *Kansas*. General Statutes 1915 ss 3072 and 3073.

¹⁷ *Minnesota*. 1917 C 397 ss 11, 12, and 16.

¹⁸ *Missouri*. Revised Statutes 1909 s 466; s 467 amended 1917 p 109.

¹⁹ *Montana*. Revised Code 1907 s 7835.

²⁰ *Nebraska*. Revised Statutes 1913 s 1251.

²¹ *Nevada*. Revised Laws 1912 s 735.

²² *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 14) amended 1915 C 96 and 1917 C 74.

²³ *New Mexico*. 1917 C 85 s 6.

²⁴ *North Dakota*. Compiled Laws 1913 ss 11409, 11410, and 11414; 1915 C 179.

²⁵ *Ohio*. General Code 1910 ss 1653 and 1672 amended 1913 p 864.

²⁶ *Oklahoma*. Revised Laws 1910 s 4422.

²⁷ *Oregon*. 1910 s 4415.

²⁸ *South Dakota*. 1915 C 119 ss 10, 11, and 12.

²⁹ *Tennessee*. Public Acts 1911 C 58 s 8 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294.

³⁰ *Texas*. Revised Civil Statutes 1911 art 2190.

³¹ *Utah*. Compiled Laws 1907 C 10 s 720x26.

³² *Vermont*. General Laws 1917 s 7330.

³³ *Washington*. 1913 C 160 s 9.

³⁴ *West Virginia*. 1915 C 70 ss 7, 10, and 29 amended 1917 C 63.

³⁵ *Wisconsin*. Statutes 1915 C 30a s 573-5.

been established in Colorado,¹ Iowa,² Kansas,³ Minnesota,⁴ Montana,⁵ Nevada,⁶ Oklahoma,⁷ Rhode Island,⁸ West Virginia,⁹ and Wisconsin.¹⁰ County homes are provided in Connecticut,¹¹ Ohio,¹² and Wisconsin.¹³ Such children may be committed to the care of the State board of charities in Massachusetts,¹⁴ New Hampshire,¹⁵ Ohio,¹⁶ and Vermont;¹⁷ to the State board of control in Minnesota¹⁸ and Nebraska;¹⁹ to the board of children's guardians in Indiana;²⁰ to the overseers of the poor in Massachusetts;²¹ to the board of county commissioners in Indiana;²² and to the society for the prevention of cruelty to children in Rhode Island.²³ In Texas²⁴ the court may make such order as seems best for the moral and physical welfare of a dependent child.

In most States²⁵ dependent children may be committed to duly accredited private institutions, associations, or home-finding societies.²⁶

¹ Colorado. Revised Statutes 1908 s 568.

² Iowa. Supplement 1913 s 254-a20.

³ Kansas. General Statutes 1915 s 9689.

⁴ Minnesota. 1917 C 397 s 11.

⁵ Montana. Revised Codes 1907 s 7834.

⁶ Nevada. Revised Laws 1912 s 734 amended 1917 C 63; ss 4098 and 4099 amended 1913 C 243.

⁷ Oklahoma. Revised Laws 1910 s 4421; 1917 p 292 ss 1 and 5.

⁸ Rhode Island. General Laws 1909 C 139 s 2; s 3 amended 1912 C 827.

⁹ West Virginia. 1909 C 80 amended 1917 C 23.

¹⁰ Wisconsin. Statutes 1915 s 573a.

¹¹ Connecticut. General Statutes 1918 s 1766.

¹² Ohio. General Code 1910 s 1653 amended 1913 p 864.

¹³ Wisconsin. Statutes 1915 ss 573-5.2a added 1917 C 350, 573-5.3 and 697-2.

¹⁴ Massachusetts. 1903 C 334 ss 3 and 4 amended 1909 C 181.

¹⁵ New Hampshire. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 13) amended 1915 C 96 and 1917 C 74.

¹⁶ Ohio. General Code 1910 s 1653 amended 1913 p 864.

¹⁷ Vermont. General Laws 1917 s 7328.

¹⁸ Minnesota. 1917 C 397 s 11.

¹⁹ Nebraska. Revised Statutes 1913 s 1250.

²⁰ Indiana. Burns' Annotated Statutes 1914 s 1644.

²¹ Massachusetts. 1903 C 334 ss 3 and 4 amended 1909 C 181.

²² Indiana. Burns' Annotated Statutes 1914 s 1644.

²³ Rhode Island. General Laws 1909 C 139 s 2; and s 3 amended 1912 C 827.

²⁴ Texas. Revised Civil Statutes 1911 art 2189.

²⁵ These are: Arizona. Revised Statutes 1913 (Civil Code) s 3567. Arkansas. 1911 A 215 s 7 amended 1917 A 420. California. 1915 C 631 s 8 amended 1917 C 627 and C 634. Colorado. Revised Statutes 1908 s 558 amended 1913 p 694. Delaware. Revised Code 1915 s 3836. Florida. 1911 C 6216 s 8 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332. Idaho. 1909 p 38 No 267 s 2 amended 1911 C 185 and C 193. Illinois. Hurd's Revised Statutes 1917 C 23 s 175. Iowa. Supplement 1913 s 254-a20. Kansas. General Statutes 1915 s 3071. Kentucky. Carroll's Statutes 1915 s 331e.9. Louisiana. Constitution 1913 art 118 s 4. Maine. Revised Statutes 1916 C 64 s 53 amended 1917 C 297. Maryland. 1916 C 326 s 8. Massachusetts. 1903 C 334 ss 3 and 4 amended 1909 C 181. Michigan. Compiled Laws 1915 s 2017. Minnesota. 1917 C 397 s 11. Missouri. 1911 p 177 s 5. Nebraska. Revised Statutes 1913 s 1250. Nevada. Revised Laws 1912 s 734 amended 1917 C 63. New Hampshire. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 13) amended 1915 C 96 and 1917 C 74. New Mexico. 1917 C 85 s 6. North Dakota. Compiled Laws 1913 s 11400. Ohio. General Code 1910 s 1653 amended 1913 p 864. Oklahoma. Revised Laws 1910 s 4421. Oregon. Lord's Oregon Laws 1910 s 4414. Pennsylvania. 1903 p 274 s 4 amended 1911 p 959; s 6 amended 1911 p 543, 1913 p 1039, and 1915 p 304. South Dakota. 1915 C 119 s 10. Tennessee. Public Acts 1911 C 58 s 7 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294. Utah. Compiled Laws 1907 s 720x25 amended 1909 C 123. Vermont. General Laws 1917 s 7328. Virginia. 1914 C 350 ss 1 and 2. Washington. 1913 C 160 s 8. West Virginia. 1915 C 70 s 7 amended 1917 C 63. Wisconsin. Statutes 1915 s 573-5.3.

²⁶ The laws dealing with the incorporation of these organizations include provision for the payments to be made from the public treasury for the maintenance and training of the children.

There is a striking failure to provide adequately for the separate care of dependent and delinquent children, and the children from both groups may be committed to the same institutions in Alabama,¹ Arkansas,² California,³ Florida,⁴ Indiana,⁵ Kansas,⁶ Louisiana,⁷ Maryland,⁸ Michigan,⁹ Mississippi,¹⁰ Nevada,¹¹ New Jersey,¹² New York,¹³ North Dakota,¹⁴ Oklahoma,¹⁵ South Carolina,¹⁶ South Dakota,¹⁷ Texas,¹⁸ Virginia,¹⁹ Washington,²⁰ and West Virginia.²¹

The laws of Arizona,²² Connecticut,²³ Kentucky,²⁴ Ohio,²⁵ and Pennsylvania²⁶ definitely prohibit such commitment.

D. SPECIAL CARE FOR THE SICK AND THE FEEBLE-MINDED.

A child needing medical care may by order of the court be placed in a hospital in Arkansas,²⁷ Florida,²⁸ Georgia,²⁹ Illinois,³⁰ Indiana,³¹ Iowa,³² Kansas,³³ Kentucky,³⁴ Michigan,³⁵ Minnesota,³⁶ Montana,³⁷ Nebraska,³⁸ Nevada,³⁹ North Carolina,⁴⁰ North Dakota,⁴¹ Ohio,⁴²

¹ *Alabama*. General Laws 1915 No 506 s 7.

² *Arkansas*. 1911 A 215 s 7 amended 1917 A 420.

³ *California*. 1915 C 631 s 8 amended 1917 C 627 and C 634.

⁴ *Florida*. 1911 C 6216 s 6 amended 1913 C 6494, 1915 C 6019, and 1917 C 7332.

⁵ *Indiana*. Burns' Annotated Statutes 1914 s 1632.

⁶ *Kansas*. General Statutes 1915 ss 3071, 3098, 3099.

⁷ *Louisiana*. 1918 No 143 s 4.

⁸ *Maryland*. 1916 C 326 s 8.

⁹ *Michigan*. Compiled Laws 1915 s 2017.

¹⁰ *Mississippi*. 1916 C 111 s. 10.

¹¹ *Nevada*. Revised Laws 1912 s 734 amended 1917 C 63.

¹² *New Jersey*. 1913 C 340. (Special schools established by school boards for dependent and delinquent children.)

¹³ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 486(5) amended 1912 C 169, 1915 C 480, and 1917 C 430. (Commitment to any institution willing to receive.)

¹⁴ *North Dakota*. Compiled Laws 1913 s 11409.

¹⁵ *Oklahoma*. Revised Laws 1910 s 4421.

¹⁶ *South Carolina*. 1912 No 429 s 5; 1917 No 73 s 5.

¹⁷ *South Dakota*. 1915 C 119 s 10.

¹⁸ *Texas*. 1913 C 144 p 289. (Girls' training school for dependents and delinquents.)

¹⁹ *Virginia*. 1914 C 350 ss 1 and 2.

²⁰ *Washington*. 1913 C 160 s 8.

²¹ *West Virginia*. 1915 C 70 s 7 amended 1917 C 63.

²² *Arizona*. Revised Statutes 1913 (Civil Code) s 3572.

²³ *Connecticut*. General Statutes 1918 s 1784.

²⁴ *Kentucky*. Carroll's Statutes 1915 s 331e.9.

²⁵ *Ohio*. General Code 1910 s 1653-1; 1913 p 864.

²⁶ *Pennsylvania*. 1903 p. 274 s 10.

²⁷ *Arkansas*. 1911 A 215 s 8 amended 1917 A 420.

²⁸ *Florida*. 1911 C 6216 s 6 amended 1913 C 6494, 1915 C 6019, and 1917 C 7332.

²⁹ *Georgia*. 1915 No 210 s 32 amended 1916 No 575.

³⁰ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 177b.

³¹ *Indiana*. Burns' Annotated Statutes 1914 s 1632.

³² *Iowa*. Supplement 1913 s 254-a20.

³³ *Kansas*. General Statutes 1915 s 3071.

³⁴ *Kentucky*. Carroll's Statutes 1915 s 331e.8.

³⁵ *Michigan*. Compiled Laws 1915 s 2017.

³⁶ *Minnesota*. 1917 C 397 s 11.

³⁷ *Montana*. 1911 C 122 s 14 amended 1915 C 52.

³⁸ *Nebraska*. Revised Statutes 1913 s 1250.

³⁹ *Nevada*. Revised Laws 1912 s 738.

⁴⁰ *North Carolina*. Public Laws 1915 C 222.

⁴¹ *North Dakota*. Compiled Laws 1913 s 11413.

⁴² *Ohio*. General Code 1910 s 1653 amended 1913 p 864.

Oklahoma,¹ Oregon,² Pennsylvania,³ South Dakota,⁴ Tennessee,⁵ Virginia,⁶ West Virginia,⁷ Wisconsin,⁸ and certain counties in New Jersey⁹ and New York.¹⁰ In California,¹¹ Illinois,¹² Missouri,¹³ New York,¹⁴ Ohio,¹⁵ and Virginia¹⁶ provision is made for committing mental defectives to institutions for their special care.

E. PARENTAL DUTY OF SUPPORT.

The laws of Alabama,¹⁷ Arizona,¹⁸ Arkansas,¹⁹ California,²⁰ Colorado,²¹ Connecticut,²² Delaware,²³ the District of Columbia,²⁴ Georgia,²⁵ Illinois,²⁶ Indiana,²⁷ Iowa,²⁸ Kentucky,²⁹ Maryland,³⁰ Massachusetts,³¹ Minnesota,³² Mississippi,³³ Missouri,³⁴ Montana,³⁵ Nevada,³⁶ New Jersey,³⁷ New Mexico,³⁸ New York,³⁹ North Dakota,⁴⁰ Ohio,⁴¹ Oregon,⁴²

¹ *Oklahoma*. Revised Laws 1910 s 4421.

² *Oregon*. Lord's Oregon Laws 1910 s 4414.

³ *Pennsylvania*. 1903 p 274 s 6 amended 1911 p 543.

⁴ *South Dakota*. 1915 C 119 s 14.

⁵ *Tennessee*. Public Acts 1911 C 58 s 7 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294.

⁶ *Virginia*. 1914 C 350 s 4.

⁷ *West Virginia*. 1915 C 70 s 12 amended 1917 C 63.

⁸ *Wisconsin*. Statutes 1915 s 573-6.1m.

⁹ *New Jersey*. 1912 C 353 s 14. (Essex and Hudson Counties.)

¹⁰ *New York*. 1910 C 611 s 14; 1913 C 270 s 14; 1918 C 464 s 19. (Monroe, Ontario, and Chautauqua Counties.)

¹¹ *California*. 1915 C 778.

¹² *Illinois*. Hurd's Revised Statutes 1917 C 23 s 341.

¹³ *Missouri*. 1911 p 177 ss 5 and 17.

¹⁴ *New York*. Consolidated Laws 1909 C 40 (Penal) art 44 s 486 (5) and (9) amended 1912 C 169, 1915 C 480 and 1917 C 430; 1910 C 659 s 39-a added 1913 C 691.

¹⁵ *Ohio*. General Code 1910 s 1653 amended 1913 p 864.

¹⁶ *Virginia*. 1914 C 350 s 4.

¹⁷ *Alabama*. General Laws 1915 No 506 s 7.

¹⁸ *Arizona*. Revised Statutes 1913 (Civil Code) s 3566.

¹⁹ *Arkansas*. 1911 A 215 s 18 amended 1917 A 420.

²⁰ *California*. 1915 C 631 s 11 amended 1917 C 627 and C 634.

²¹ *Colorado*. Revised Laws 1908 ss 563-565. (For dependent. Bond required. Imprisonment for failure to pay.)

²² *Connecticut*. General Statutes 1918 s 1795.

²³ *Delaware*. Revised Code 1915 ss 3836 and 3839.

²⁴ *District of Columbia*. U. S. Revised Statutes Supplement 1901 C 847 p 1544 s 5.

²⁵ *Georgia*. 1915 No 210 s 31 amended 1916 No 575.

²⁶ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 190.

²⁷ *Indiana*. Burns' Annotated Statutes 1914 s 1632.

²⁸ *Iowa*. Supplement 1913 s 254-a25.

²⁹ *Kentucky*. Carroll's Statutes 1915 s 331e.15.

³⁰ *Maryland*. 1916 C 326 s 10.

³¹ *Massachusetts*. Revised Laws 1902 C 46 s 6 amended 1913 C 779 s 9.

³² *Minnesota*. 1917 C 397 s 25.

³³ *Mississippi*. 1916 C 111 s 15.

³⁴ *Missouri*. 1911 p 177 s 21; 1917 p 195 s 15.

³⁵ *Montana*. 1911 C 122 s 14 amended 1915 C 52.

³⁶ *Nevada*. Revised Laws 1912 s 751.

³⁷ *New Jersey*. 1912 C 353 s 13. (Applies to counties of the first class.)

³⁸ *New Mexico*. 1917 C 4 s 12.

³⁹ *New York*. 1910 C 611 s 13; 1913 C 270 s 13; 1918 C 464 s 16. (Monroe, Ontario, and Chautauqua Counties.)

⁴⁰ *North Dakota*. Compiled Laws 1913 s 11423.

⁴¹ *Ohio*. General Code 1910 s 1653 amended 1913 p 864.

⁴² *Oregon*. Lord's Oregon Laws 1910 s 4423.

Pennsylvania,¹ Rhode Island,² South Dakota,³ Tennessee,⁴ Utah,⁵ Vermont,⁶ Washington,⁷ West Virginia,⁸ and Wisconsin⁹ provide that the court may inquire into the financial ability of the parents or guardian and may order them to contribute to the support of a child placed in the care of an individual, association, or institution. Failure to pay may be punished as contempt of court in Arkansas, Connecticut, Georgia, Illinois, New Jersey, New York, Ohio, South Dakota, and West Virginia. The order may be enforced by execution in Indiana, Minnesota, Missouri, Oklahoma, Tennessee, Utah, and Washington; or in any way in which a court of equity may enforce its orders in Kentucky, Minnesota, Oklahoma, Tennessee, Utah, Vermont, and Washington. In Illinois the court may order a reasonable sum to be paid out of the wages of the parent or guardian. Montana provides that orders for support may be enforced as other judgments are enforced. In Monroe and Ontario Counties, N. Y., they may be enforced as money judgments of courts of record. Nevada, South Dakota, and West Virginia require "reasonable security" for payment. In Oregon, Tennessee, and Vermont no property is exempt from levy and sale to meet payment. In Rhode Island failure to pay may be punished by imprisonment in jail. Virginia provides that procedure shall be as that in cases of non-support.

¹ *Pennsylvania*. 1903 p 274 s 4 amended 1911 p 959.

² *Rhode Island*. General Laws 1909 C 140 s 2.

³ *South Dakota*. 1915 C 119 s 26.

⁴ *Tennessee*. Public Acts 1911 C 58 s 15 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

⁵ *Utah*. 1913 C 54 s 2.

⁶ *Vermont*. General Laws 1917 s 7334.

⁷ *Washington*. 1913 C 160 s 8.

⁸ *West Virginia*. 1915 C 70 s 27 amended 1917 C 63.

⁹ *Wisconsin*. Statutes 1915 s 573-5.5.

VI. CONTINUING JURISDICTION AND RELATION OF COURT TO INSTITUTIONS IN WHICH CHILDREN ARE PLACED.

Laws vary as to whether or not the court has any further jurisdiction over a child once disposed of or over the institution to which he has been committed.

In Alabama,¹ Arkansas,² California,³ Florida,⁴ Georgia,⁵ and Oklahoma⁶ the law provides that the jurisdiction of the court continues even though a child is placed in an institution.

The judge may change or set aside an order in Alabama,⁷ California,⁸ Colorado,⁹ Delaware,¹⁰ Florida,¹¹ Georgia,¹² Illinois,¹³ Kansas,¹⁴ Kentucky,¹⁵ Michigan,¹⁶ Mississippi,¹⁷ Missouri,¹⁸ Montana,¹⁹ Nebraska,²⁰ New Jersey,²¹ New Mexico,²² New York,²³ North Carolina,²⁴ North Dakota,²⁵ Oregon,²⁶ Pennsylvania,²⁷ South Dakota,²⁸ Tennessee,²⁹ Texas,³⁰ Utah,³¹ Washington,³² and West Virginia.³³

¹ Alabama. Local Laws 1915 No 128 s 6; No 361 s 13. (Mobile and Jefferson Counties.)

² Arkansas. 1911 A 215 s 14 amended 1917 A 420.

³ California. 1915 C 631 s 12 amended 1917 C 627 and C 634.

⁴ Florida. 1911 C 6216 s 8 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332.

⁵ Georgia. 1915 No 210 s 27 amended 1916 No 575.

⁶ Oklahoma. Revised Laws 1910 s 4424.

⁷ Alabama. General Laws 1915 No 506 s 7.

⁸ California. 1915 C 631 s 9 amended 1917 C 627 and C 634.

⁹ Colorado. Revised Statutes 1908 s 559.

¹⁰ Delaware. Revised Code 1915 s 3837.

¹¹ Florida. 1911 C 6216 ss 6 and 18 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332.

¹² Georgia. 1915 No 210 s 27 amended 1916 No 575.

¹³ Illinois. Hurd's Revised Statutes 1917 C 23 s 177d.

¹⁴ Kansas. General Statutes 1915 s 3074.

¹⁵ Kentucky. Carroll's Statutes 1915 s 331e.9. (Applies to dependant and neglected.)

¹⁶ Michigan. Compiled Laws 1915 s 2023. (Except commitments to State public school.)

¹⁷ Mississippi. 1916 C 111 s 10.

¹⁸ Missouri. 1911 p 177 ss 17 and 18; 1917 p 195 ss 6 and 14.

¹⁹ Montana. 1911 C 122 s 14 amended 1915 C 52.

²⁰ Nebraska. Revised Statutes 1913 s 1251.

²¹ New Jersey. 1912 C 353 s 15. (Essex and Hudson Counties.)

²² New Mexico. 1917 C 85 s 6. (Dependents.)

²³ New York. 1910 C 611 s 12; 1913 C 270 s 12; 1918 C 464 s 14. (Monroe, Ontario, and Chautauqua Counties.)

²⁴ North Carolina. Public Laws 1915 C 222 s 2.

²⁵ North Dakota. Compiled Laws 1913 s 11415.

²⁶ Oregon. Lord's Oregon Laws 1910 s 4416 amended 1913 C 249.

²⁷ Pennsylvania. 1903 p 274 s 8 amended 1909 p 119.

²⁸ South Dakota. 1915 C 119 s 29.

²⁹ Tennessee. Public Acts 1911 C 58 ss 7 and 9 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. (Except when permanently placed in private home.)

³⁰ Texas. Code of Criminal Procedure 1911 art 1203 amended 1913 C 112.

³¹ Utah. 1913 C 54 s 10.

³² Washington. 1913 C 160 ss 8 and 15.

³³ West Virginia. 1915 C 70 s 10 amended 1917 C 63.

Florida,¹ Iowa,² Louisiana,³ Maryland,⁴ Missouri,⁵ Montana,⁶ Nevada,⁷ North Carolina,⁸ North Dakota,⁹ South Dakota,¹⁰ and West Virginia¹¹ give the court power to discharge a child from an institution. In the District of Columbia,¹² Kentucky,¹³ and Minnesota¹⁴ the institution can not discharge the child without the consent of the court.

Institutions receiving children committed by the juvenile court are subject to the supervision, visitation, and control of a board or committee appointed by the court in Alabama,¹⁵ Arkansas,¹⁶ California,¹⁷ Delaware,¹⁸ Florida,¹⁹ Georgia,²⁰ Illinois,²¹ Indiana,²² Kentucky,²³ Missouri,²⁴ Nebraska,²⁵ North Dakota,²⁶ Ohio,²⁷ Oregon,²⁸ Pennsylvania,²⁹ Tennessee,³⁰ Texas,³¹ Washington,³² West Virginia,³³ and Wisconsin.³⁴

The court may require reports from institutions in Colorado,³⁵ Florida,³⁶ Georgia,³⁷ Idaho,³⁸ Illinois,³⁹ Indiana,⁴⁰ Kansas,⁴¹ Ken-

¹ Florida. 1911 C 6216 s 8 amended 1913 C 6494, 1915 C 6919, and 1917 C 7332.

² Iowa. Supplement 1913 s 254-a23.

³ Louisiana. Constitution 1913 art 118 s 4.

⁴ Maryland. 1916 C 326 s 8.

⁵ Missouri. 1911 p 177 s 18; 1917 p 195 s 14.

⁶ Montana. 1911 C 122 s 14 amended 1915 C 52.

⁷ Nevada. Revised Laws 1912 s 740.

⁸ North Carolina. Public Laws 1915 C 222 s 2.

⁹ North Dakota. Compiled Laws 1913 s 11415.

¹⁰ South Dakota. 1915 C 119 s 17. (If conditions are unsatisfactory.)

¹¹ West Virginia. 1915 C 70 s 14 amended 1917 C 63.

¹² District of Columbia. 34 U. S. Statutes at Large p 73 s 8.

¹³ Kentucky. Carroll's Statutes 1915 s 331e.7. (Court can not discharge without consent of institution.)

¹⁴ Minnesota. 1917 C 397 s 13. (Within one year of commitment.)

¹⁵ Alabama. General Laws 1915 No 506 s 13.

¹⁶ Arkansas. 1911 A 215 s 14 amended 1917 A 420.

¹⁷ California. 1915 C 631 s 17b amended 1917 C 627 and C 634.

¹⁸ Delaware. Revised Code 1915 s 3838. (Wilmington.)

¹⁹ Florida. 1915 C 6841 s 5.

²⁰ Georgia. 1915 No 215 s 38 amended 1916 No 575.

²¹ Illinois. Hurd's Revised Statutes 1917 C 23 s 186.

²² Indiana. Burns' Annotated Statutes 1914 ss 3675 and 3677.

²³ Kentucky. Carroll's Statutes 1915 s 331e.19.

²⁴ Missouri. Revised Statutes 1909 ss 1229-1332.

²⁵ Nebraska. Revised Statutes 1913 s 1261.

²⁶ North Dakota. Compiled Laws 1913 s 11420.

²⁷ Ohio. General Code 1910 ss 2971-2976 amended 1913 p 864.

²⁸ Oregon. Lord's Oregon Laws 1910 s 4421.

²⁹ Pennsylvania. 1903 p 8 s 1 amended 1913 p 452 s 1.

³⁰ Tennessee. Public Acts 1911 C 58 s 13 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294.

³¹ Texas. Revised Civil Statutes 1911 art 2190; Code of Criminal Procedure 1911 art 1204 amended 1913 C 112.

³² Washington. 1913 C 160 s 18.

³³ West Virginia. 1915 C 70 s 23 amended 1917 C 63.

³⁴ Wisconsin. Statutes 1915 s 573-10.

³⁵ Colorado. Revised Statutes 1908 ss 559 and 595.

³⁶ Florida. 1911 C 6216 s 12.

³⁷ Georgia. 1915 No 210 s 20 amended 1916 No 575.

³⁸ Idaho. 1911 C 159 s 158 amended 1917 C 84.

³⁹ Illinois. Hurd's Revised Statutes 1917 C 23 s 181.

⁴⁰ Indiana. Burns' Annotated Statutes 1914 s 1638.

⁴¹ Kansas. General Statutes 1915 s 3074.

tucky,¹ Louisiana,² Maryland,³ Missouri,⁴ Montana,⁵ Nebraska,⁶ Nevada,⁷ New Jersey,⁸ North Dakota,⁹ Ohio,¹⁰ Oregon,¹¹ South Carolina,¹² South Dakota,¹³ Tennessee,¹⁴ Texas,¹⁵ Utah,¹⁶ Vermont,¹⁷ Virginia,¹⁸ West Virginia,¹⁹ and part of New York.²⁰

The court may exercise direct supervision in Georgia,²¹ Mississippi,²² Nevada,²³ New Jersey,²⁴ Monroe and Ontario Counties, N. Y.,²⁵ New York City,²⁶ and Knox County, Tenn.²⁷

Colorado,²⁸ on the other hand, provides that the board of control of the State home is not subject to the order of the court at the time of committing, nor is any restriction upon its discretion imposed by such order.

Alabama,²⁹ Arizona,³⁰ California,³¹ Connecticut,³² and Idaho³³ provide for the discharge of the child by the institution. In Kentucky³⁴ the court may release a ward on the recommendation of the institution. In California³⁵ the court must have "due regard to the effect upon the discipline of the institution" of a change of order.

¹ Kentucky. Carroll's Statutes 1915 s 331e.12.

² Louisiana. Constitution 1913 art 118 s 4.

³ Maryland. 1916 C 326 s 9.

⁴ Missouri. 1911 p 177 s 18; 1917 p 195 s 14.

⁵ Montana. 1911 C 122 s 14 amended 1915 C 52.

⁶ Nebraska. Revised Statutes 1913 ss 1251 and 1256.

⁷ Nevada. Revised Laws 1912 s 740.

⁸ New Jersey. 1912 C 353 ss 11 and 16. (Essex and Hudson Counties.)

⁹ North Dakota. Compiled Laws 1913 s 11415.

¹⁰ Ohio. General Code 1910 s 1675 amended 1913 p 864.

¹¹ Oregon. Lord's Oregon Laws 1910 s 4419.

¹² South Carolina. 1912 No 429 s 5; 1917 No 73 s 5.

¹³ South Dakota. 1915 C 119 ss 17 and 19.

¹⁴ Tennessee. Public Acts 1911 C 58 s 12 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294.

¹⁵ Texas. Revised Civil Statutes 1911 art 2190; Code of Criminal Procedure 1911 art 1204 amended 1913 C 112.

¹⁶ Utah. Compiled Laws 1907 s 720x25 amended 1909 C 123; and s 720x36.

¹⁷ Vermont. General Laws 1917 s 7333.

¹⁸ Virginia. 1914 C 350 ss 11 and 12.

¹⁹ West Virginia. 1915 C 70 s 18 amended 1917 C 63.

²⁰ New York. 1918 C 464 s 12. (Chautauqua County.)

²¹ Georgia. 1915 No 210 s 26 amended 1916 No 575. (Visitation by probation officer or other agent of the court.)

²² Mississippi. 1916 C 111 s 10. (Inspection and approval of court required.)

²³ Nevada. Revised Laws 1912 s 734 amended 1917 C 63. (Probation officer visits and reports.)

²⁴ New Jersey. 1912 C 353 s 16. (In Essex and Hudson Counties the judge must visit once a year all institutions receiving children committed by the court.)

²⁵ New York. 1910 C 611 ss 12 and 18; 1913 C 270 ss 12 and 18. (County judge must visit each institution at least once a year.)

²⁶ New York. 1910 C 659 s 34-f added 1915 C 531. (Institutions must be inspected once a year by at least one justice.)

²⁷ Tennessee. Private Acts 1913 C 277 s 14 amended 1915 C 292. (It is the duty of the judge to visit all institutions once a year.)

²⁸ Colorado. 1913 C 50 s 1.

²⁹ Alabama. General Laws 1915 No 506 s 7.

³⁰ Arizona. Revised Statutes 1913 (Civil Code) s 3566. (Court must be advised and record kept.)

³¹ California. 1915 C 631 s 10 amended 1917 C 627 and C 634. (Returned to court if incorrigible.)

³² Connecticut. General Statutes 1918 ss 1808, 1809, and 1825.

³³ Idaho. 1909 p 38 s 3 amended 1911 C 185 and C 193. (Must file with court a copy of resolutions.)

³⁴ Kentucky. Carroll's Statutes 1915 s 331e.7.

³⁵ California. 1915 C 631 s 9 amended 1917 C 627 and C 634.

Illinois,¹ Maryland,² Massachusetts,³ Nebraska,⁴ Nevada,⁵ Ohio,⁶ and West Virginia⁷ provide in the statutes establishing children's institutions, for the appointment by the institutions of agents to have supervision over children placed by them in family homes.

Provision is made for the supervision and control of institutions and associations receiving children by the State board of charities in Colorado,⁸ Connecticut,⁹ Indiana,¹⁰ Louisiana,¹¹ Massachusetts,¹² Missouri,¹³ Montana,¹⁴ Nebraska,¹⁵ New Jersey,¹⁶ North Carolina,¹⁷ Ohio,¹⁸ Oklahoma,¹⁹ Pennsylvania,²⁰ South Dakota,²¹ Tennessee,²² Vermont,²³ Virginia,²⁴ and Wyoming,²⁵ by the State board of control in Iowa,²⁶ Minnesota,²⁷ and West Virginia,²⁸ by the State commissioner of State institutions in Arizona,²⁹ by the State department of public welfare in Illinois,³⁰ by the State board of control of reformatory, charitable, and penal institutions in Wisconsin,³¹ by the board of charities in the District of Columbia,³² and by the juvenile-court commission in Utah.³³ Institutions in Idaho,³⁴ except those managed by the State, are under the control of the governor. Supervision is exercised in Colorado³⁵ and Utah³⁶ by the county commissioners; in Ohio,³⁷ by the county board of health and the county commissioners; in cities of 500,000 in Missouri,³⁸ by the board of children's guardians; and in the Parish of Orleans, La.,³⁹ by the prison and asylum commissioners.

¹ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 180.

² *Maryland*. 1916 C 326 s 9.

³ *Massachusetts*. Revised Laws 1902 C 86 s 36 amended 1904 C 363; 1908 C 639 s 6.

⁴ *Nebraska*. Revised Statutes 1913 s 1255.

⁵ *Nevada*. Revised Laws 1912 s 743.

⁶ *Ohio*. General Code 1910 s 1674 amended 1913 p 864. (Girls' and boys' industrial schools.)

⁷ *West Virginia*. 1915 C 70 s 17 amended 1917 C 63. (Duty of State institutions to maintain.)

⁸ *Colorado*. Revised Statutes 1908 s 505.

⁹ *Connecticut*. General Statutes 1918 ss 1888 and 1893.

¹⁰ *Indiana*. Burns' Annotated Statutes 1914 s 1638.

¹¹ *Louisiana*. Constitution 1913 art 118 s 4.

¹² *Massachusetts*. Revised Laws 1902 C 86 ss 50-53; C 84 s 2 amended 1908 C 598.

¹³ *Missouri*. 1911 p 177 s 18; 1917 p 195 s 14.

¹⁴ *Montana*. Revised Code 1907 ss 271-281.

¹⁵ *Nebraska*. Revised Statutes 1913 ss 1251 and 1256.

¹⁶ *New Jersey*. Compiled Statutes 1910 p 453. (State commissioner of charities.)

¹⁷ *North Carolina*. Public Laws 1917 C 170.

¹⁸ *Ohio*. General Code 1910 ss 1352 and 1352-1 amended 1913 p 864.

¹⁹ *Oklahoma*. Constitution art 6 s 28.

²⁰ *Pennsylvania*. 1903 p 11 s 1.

²¹ *South Dakota*. 1915 C 119 s 19.

²² *Tennessee*. Public Acts 1917 C 120 pp 365-369.

²³ *Vermont*. General Laws 1917 s 7313.

²⁴ *Virginia*. 1914 C 350 s 11.

²⁵ *Wyoming*. 1915 C 99 s 3.

²⁶ *Iowa*. Supplement 1913 s 254-a26.

²⁷ *Minnesota*. 1917 C 212 ss 18 and 19.

²⁸ *West Virginia*. 1915 C 70 s 18.

²⁹ *Arizona*. 1917 C 80.

³⁰ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 181.

³¹ *Wisconsin*. Statutes 1915 ss 561-567d. (Also (s 562b) a legislative committee appointed by the governor.)

³² *District of Columbia*. U. S. Revised Statutes Supplement 1901 C 807 p 1447.

³³ *Utah*. 1913 C 54 s 1.

³⁴ *Idaho*. 1911 C 159 s 158 amended 1917 C 84.

³⁵ *Colorado*. Revised Statutes 1908 s 605.

³⁶ *Utah*. Compiled Laws 1907 s 720x36.

³⁷ *Ohio*. General Code 1910 ss 2497-2499.

³⁸ *Missouri*. 1911 p 349.

³⁹ *Louisiana*. Constitution 1913 art 118 s 4.

VII. ORGANIZATION OF THE COURT.

A. JUDGE.

1. Method of selection.

The judges of the juvenile courts of Jefferson County, Ala.,¹ Essex and Hudson Counties, N. J.,² and the cities of Wilmington,³ Boston,⁴ and Baltimore⁵ are appointed by the governors of their respective States.

In Denver,⁶ New Orleans,⁷ Buffalo,⁸ Indianapolis,⁹ certain counties of Ohio,¹⁰ and in the fourth judicial district of Minnesota,¹¹ the judges are elected by popular vote.

The judge of the juvenile court is appointed by the President of the United States in the District of Columbia;¹² by the juvenile-court commission in Utah¹³ and in Mobile County, Ala.;¹⁴ by the mayor in New York City;¹⁵ by the city council in cities of 50,000 population in Virginia;¹⁶ by his associates in California,¹⁷ Missouri,¹⁸ Montana,¹⁹ Wisconsin,²⁰ Georgia,²¹ and in certain counties of Illinois,²² Iowa,²³ Maryland,²⁴ Minnesota,²⁵ Nebraska,²⁶ Ohio,²⁷ Washington,²⁸ and Pennsylvania;²⁹ and by the presiding judge in other counties of Pennsyl-

¹ *Alabama*. Local Laws 1915 No 361 s 4.

² *New Jersey*. 1912 C 353 s 1. (Counties of the first class.)

³ *Delaware*. Revised Code 1915 s 3830 amended 1917 C 252. (Wilmington.)

⁴ *Massachusetts*. 1906 C 489 s 2 amended 1918 C 257 s 419. (Boston.)

⁵ *Maryland*. Code of Public Local Laws art 4 s 623A amended 1902 C 611, 1904 C 521 and 1910 C 41 p 644. (Baltimore.)

⁶ *Colorado*. Revised Statutes 1908 ss 1593, 1594, 1595. (Denver.)

⁷ *Louisiana*. Constitution 1913 art 118 s 1. (Parish of Orleans.)

⁸ *New York*. 1911 C 651 ss 511-514. (Buffalo.)

⁹ *Indiana*. Burns' Annotated Statutes 1914 s 1632. (Counties containing a city of 100,000 population.)

¹⁰ *Ohio*. General Code 1910 s 1639 amended 1914 p 176 and 1913 p 864, s 1532-3 added 1917 p 703; s 1532-1 added 1916 p 424; s 1532-4 added 1917 p 721; s 1683-14 added 1917 p 732. (Hamilton, Lucas, Mahoning, Montgomery, and Summit Counties.)

¹¹ *Minnesota*. General Statutes 1913 ss 202-204. (Fourth judicial district.)

¹² *District of Columbia*. 34 U. S. Statutes at Large p 73 s 2.

¹³ *Utah*. 1913 C 54 s 1.

¹⁴ *Alabama*. Local Laws 1915 No 128 s 10. (Mobile County.)

¹⁵ *New York*. 1910 C 659 s 34-c to 34-e added 1915 C 531. (New York City.)

¹⁶ *Virginia*. 1914 C 57 ss 1 and 4. (Cities of 50,000.)

¹⁷ *California*. 1915 C 631 s 16 amended 1917 C 627 and C 634.

¹⁸ *Missouri*. 1911 p 177 s 2.

¹⁹ *Montana*. 1911 C 122 s 12.

²⁰ *Wisconsin*. Statutes 1915 s 573-2.1.

²¹ *Georgia*. 1915 No 210 s 21 amended 1916 No 575.

²² *Illinois*. Hurd's Revised Statutes 1917 C 23 s 171. (Counties of more than 500,000.)

²³ *Iowa*. 1917 C 405 s 1. (Counties of more than 100,000.)

²⁴ *Maryland*. 1916 C 326 s 2. (Outside Baltimore.)

²⁵ *Minnesota*. 1917 C 397 s 3. (Counties of more than 33,000.)

²⁶ *Nebraska*. Revised Statutes 1913 s 1246. (Counties of 40,000.)

²⁷ *Ohio*. General Code 1910 s 1639 amended 1913 p 864 and 1914 p 176; s 1532-4 added 1917 p 721; s 1532-1 added 1916 p 424; s 1532-2 added 1917 p 703; s 1683-14 added 1917 p 732.

²⁸ *Washington*. 1913 C 160 s 2. (Counties of 33,000.)

²⁹ *Pennsylvania*. 1903 p 274 s 1. (Outside Philadelphia and Allegheny Counties.)

vania.¹ In Hamilton County, Tenn.,² the judge of the city court of Chattanooga acts as judge of the juvenile court. In Knox County, Tenn.,³ the recorder of the city of Knoxville is judge of the juvenile court. Where this jurisdiction is bestowed on certain regular courts, the judges presiding over these become for these purposes the juvenile court judges.

2. Tenure.

The judge is appointed for one year in Mobile County, Ala.;⁴ for 1 year or longer in the discretion of the presiding judge in Philadelphia and Allegheny Counties, Pa.;⁵ for 2 years in Utah;⁶ 3 years in part of Georgia;⁷ 4 years in certain counties of Iowa⁸ and Virginia,⁹ and in Wilmington,¹⁰ Indianapolis,¹¹ and New Orleans;¹² 5 years in Essex and Hudson Counties, N. J.;¹³ 6 years in certain counties of Georgia¹⁴ and Minnesota,¹⁵ Jefferson County, Ala.,¹⁶ and the District of Columbia;¹⁷ and for 10 years in Buffalo.¹⁸

3. Salary.

The salary of the judge is \$600 in Mobile County, Ala.;¹⁹ \$720 in Wilmington, Del.;²⁰ \$2,500 in Jefferson County, Ala.;²¹ \$3,000 in the District of Columbia,²² New Orleans,²³ Baltimore,²⁴ and Boston;²⁵ \$4,000 in Indianapolis;²⁶ and \$5,000 in Essex and Hudson Counties, N. J.²⁷ In South Dakota²⁸ the judge receives \$500 and in Tennessee²⁹

¹ *Pennsylvania*. 1913 p 711 s 8. (Philadelphia and Allegheny Counties.)

² *Tennessee*. Private Acts 1911 C 182 s 1.

³ *Tennessee*. Private Acts 1913 C 277 s 2 amended 1915 C 292.

⁴ *Alabama*. Local Laws 1915 No 128 s 10.

⁵ *Pennsylvania*. 1913 p 711 s 8.

⁶ *Utah*. 1913 C 54 s 1.

⁷ *Georgia*. 1915 No 210 s 21 amended 1916 No 575. (In counties between 35,000 and 60,000.)

⁸ *Iowa*. 1917 C 405 s 1. (Counties of 100,000 or more.)

⁹ *Virginia*. 1914 C 57 ss 1 and 4. (In cities of 50,000 or more.)

¹⁰ *Delaware*. Revised Code 1915 s 3830 amended 1917 C 252. (Wilmington.)

¹¹ *Indiana*. Burns' Annotated Statutes 1914 s 1632. (Indianapolis.)

¹² *Louisiana*. Constitution 1913 art 118 s 1. (Parish of Orleans.)

¹³ *New Jersey*. 1912 C 353 s 1.

¹⁴ *Georgia*. 1915 No 210 s 21 amended 1916 No 575. (Except counties between 35,000 and 60,000.)

¹⁵ *Minnesota*. General Statutes 1913 ss 202-204. (In the fourth judicial district.)

¹⁶ *Alabama*. Local Laws 1915 No 361 s 4. (Jefferson County.)

¹⁷ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 2.

¹⁸ *New York*. 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 ss 511-514, 1914 C 124 and 1917 C 571. (Buffalo.)

¹⁹ *Alabama*. Local Laws 1915 No 128 s 10. (Mobile County.)

²⁰ *Delaware*. Revised Code 1915 s 3830 amended 1917 C 252.

²¹ *Alabama*. Local Laws 1915 No 361 s 4.

²² *District of Columbia*. 34 U. S. Statutes at Large p 73 s 2.

²³ *Louisiana*. Constitution 1913 art 118 s 1.

²⁴ *Maryland*. Code of Public Local Laws art 4 s 623A amended 1902 C 611, 1904 C 521 and 1910 C 41 p. 644.

²⁵ *Massachusetts*. 1906 C 489 s 3 amended 1918 C 257 s 419.

²⁶ *Indiana*. Burns' Annotated Statutes 1914 s 1632.

²⁷ *New Jersey*. 1912 C 353 s 1.

²⁸ *South Dakota*. 1915 C 119 s 25.

²⁹ *Tennessee*. Public Acts 1911 C 58 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294; Private Acts 1911 C 182 s 9. (In Hamilton County no compensation beside that as judge of the city court of Chattanooga.)

\$300 in addition to his salary as county judge. In Michigan¹ the judge is paid, in addition to his salary as probate judge, \$100 for each 15,000 inhabitants. In Georgia² the salary is fixed by the judge of the superior court; in Buffalo³ by the common council; in Utah⁴ by the juvenile-court commission; and in certain cities of Virginia⁵ by the city council.

4. Qualifications.

The qualifications of the judge as stated in the law vary greatly from State to State. In Buffalo, N. Y.,⁶ any resident of the city may be elected. In Wilmington, Del.,⁷ the judge shall be appointed "without any regard for his political affiliations and his sole qualification shall be his fitness to be a juvenile judge." In New Jersey⁸ he must be a counselor at law; and in Mobile County, Ala.,⁹ and in the District of Columbia¹⁰ "learned in law." Colorado¹¹ provides that the judge of the Denver court must have the qualifications of a district judge. Louisiana¹² requires for New Orleans a judge who is at least 40 years of age and has had five years of legal practice. In Baltimore¹³ the judge must be a member of the bar of the supreme bench of Baltimore City. Georgia¹⁴ provides for an attorney at law with at least three years' practice, an interest in children, and a knowledge of the problems of social service, of philanthropy, and of child life. In Indianapolis¹⁵ the judge must be at least 40 years old, a legal voter, and a parent. The Alabama¹⁶ law applying to Jefferson County provides for the appointment of a citizen of the United States and of the county for three years, who is learned in the law, at least 30 years of age, of high moral character and clean life, selected for his special fitness, by training, education, and experience, to deal with delinquent and neglected children.

¹ *Michigan*. Compiled Laws 1915 s 2019.

² *Georgia*. 1915 No 210 s 21 amended 1916 No 575.

³ *New York*. 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 ss 511-514, 1914 C 124, and 1917 C 571. (Buffalo.)

⁴ *Utah*. 1913 C 54 s 1.

⁵ *Virginia*. 1914 C 57 ss 1 and 4.

⁶ *New York*. 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 ss 511-514, 1914 C 124, and 1917 C 571.

⁷ *Delaware*. Revised Code 1915 s 3830 amended 1917 C 252.

⁸ *New Jersey*. 1912 C 353 s 1. (Counties of the first class.)

⁹ *Alabama*. Local Laws 1915 No 128 s 10. (Mobile County.)

¹⁰ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 2.

¹¹ *Colorado*. Revised Statutes 1908 ss 1593, 1594, 1595.

¹² *Louisiana*. Constitution 1913 art 118 s 1.

¹³ *Maryland*. Code of Public Local Laws art 4 s 623A amended 1902 C 611, 1904 C 521 and 1910 C 41 p 6+4.

¹⁴ *Georgia*. 1915 No 210 s 21 amended 1916 No 575.

¹⁵ *Indiana*. Burns' Annotated Statutes 1914 s 1632.

¹⁶ *Alabama*. Local Laws 1915 No 361 s 4.

B. PROBATION OFFICERS.

1. Appointment.

Probation officers are appointed by the juvenile-court commission in Mobile County, Ala.;¹ by the governor in Florida² and in Maine;³ by the supreme bench in Baltimore;⁴ by the city government in certain counties of Tennessee;⁵ and by the juvenile board in certain counties of Texas.⁶ The State probation officer in Rhode Island⁷ acts as chief officer and assigns probation officers to each juvenile court. In Vermont⁸ the secretary of the State board of charities and probation acts as chief probation officer; and with the approval of the governor, the State board may appoint deputies. In Utah⁹ the probation officers are appointed by the juvenile-court commission, but any large city may appoint deputies upon the recommendation of the judge of the juvenile court. In Wilmington, Del.,¹⁰ the judge of the superior court appoints the chief probation officer upon the recommendation of the judge of the juvenile court, and other probation officers may be appointed by the judge of the juvenile court. Oklahoma makes no provision for the appointment of probation officers for the juvenile court.

In all other jurisdictions¹¹ probation officers are appointed by the

¹ *Alabama*. Local Laws 1915 No 128 ss 10-14.

² *Florida*. 1911 C 6216 s 5 amended 1913 C 6494, 1915 C 6919 and 1917 C 7332.

³ *Maine*. Revised Statutes 1916 C 137 s 10 amended 1917 C 203.

⁴ *Maryland*. Code of Public Local Laws art 4 s 886A amended 1902 C 611, 1904 C 514, 1906 C 263 and 1912 C 618.

⁵ *Tennessee*. Public Acts 1911 C 58 ss 6 and 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294. (Counties of 148,000.)

⁶ *Texas*. 1917 C 16 amended 1917 C 58. (Counties of 100,000 containing a city of 70,000.)

⁷ *Rhode Island*. 1915 C 1185 ss 18 and 24 amended 1917 C 1546.

⁸ *Vermont*. General Laws 1917 ss 7292-7304.

⁹ *Utah*. 1913 C 54 ss 12 and 13.

¹⁰ *Delaware*. Revised Code 1915 s 3833 amended 1917 C 352.

¹¹ *Alabama*. General Laws 1915 No 506 s 6; Local Laws 1915 No 361 s 12. (State outside Jefferson County.) *Arizona*. Revised Statutes 1913 (Civil Code) s 3565. *California*. 1915 C 631 ss 18, 20, and 19e to 19v amended 1917 C 627 and C 634. *Colorado*. Revised Statutes 1908 ss 593, 1596, 1597; 1911 C 186 s 2. *Connecticut*. General Statutes 1918 s 6668. *District of Columbia*. 34 U. S. Statutes at Large p 73 s 4. *Georgia*. 1915 No 210 ss 22, 23, 24, and 26 amended 1916 No 575. *Idaho*. 1911 C 159 s 163 amended 1917 C 84. *Illinois*. Hurd's Revised Statutes 1917 C 23 s 174. (Consult *Witter v Cook County Commissioners* 256 Ill. 616.) *Indiana*. Burns' Annotated Statutes 1914 ss 1631-1637. *Iowa*. Supplement 1913 s 254-a18; 1917 C 405 s 2. *Kansas*. General Statutes 1915 ss 3067 and 3092. *Kentucky*. Carroll's Statutes 1915 ss 331e.3 and 331e.20. *Louisiana*. Constitution 1913 art 118 s 1. *Maryland*. 1916 C 326 s 6. (Except in Baltimore.) *Massachusetts*. Revised Laws 1902 C 217 s 83; 1906 C 413 s 7 amended 1912 C 187 and 1916 C 243; 1908 C 637. *Michigan*. Compiled Laws 1915 s 2015. *Minnesota*. General Statutes 1913 ss 9385-9391; 1917 C 397 s 9. *Mississippi*. 1916 C 111 ss 19 and 23. (Municipal authorities may appoint additional officers.) *Missouri*. 1911 p 177 ss 9-11; 1917 p 195 s 11. *Montana*. 1911 C 122 s 14 amended 1915 C 52. *Nebraska*. Revised Statutes 1913 s 1249 amended 1915 C 24 and 1917 C 24. *Nevada*. Revised Laws 1912 C 733 amended 1917 C 63. *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 ss 5-8) amended 1915 C 96 and 1917 C 74. *New Jersey*. Compiled Statutes 1910 p 1879 s 189 amended 1911 C 225; 1913 C 89. *New Mexico*. 1917 C 4 s 11. *New York*. Code of Criminal Procedure Part I Title I s 11a; 1915 C 531; 1910 C 611 s 11; 1913 C 270 s 11; 1911 C 651 s 524; 1910 C 676 s 23; 1918 C 464 s 11. *North Carolina*. Public Laws 1915 C 222 ss 2 and 3. *North Dakota*. Compiled Laws 1913 s 11408. *Ohio*. General Code 1910 s 1662 amended 1913 p 864 and 1917 p 19. *Oregon*. Lord's Oregon Laws 1910 s 4412 amended 1913 C 249. *Pennsylvania*. 1903 p 274 s 3 amended 1909 p 89; 1915 p 5 s 3 amended 1917 p 19; 1913 p 711 amended 1915 pp 968 and 1017 and 1917 p 1015. *South Carolina*. 1912 No 429 ss 4 and 5; 1917 No 73 s 4. *South Dakota*. 1915 C 119 s 24. *Tennessee*. Public Acts 1911 C 58 ss 6 and 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. *Texas*. Code of Criminal Procedure 1911 art 1202 amended 1913 C 112. *Virginia*. 1914 C 350 ss 5 and 6. *Washington*. 1913 C 160 s 3. *West Virginia*. 1915 C 70 s 6 amended 1917 C 63. *Wisconsin*. Statutes 1915 ss 573-2.4

court. The appointment must be approved by the probation committee in California; by the State board of charities in counties of over 100,000 in Colorado; by the commission on probation in Massachusetts; by a board composed of the State superintendent of public instruction, the governor, and the district superintendent of schools in Nevada; by the county superintendent of public instruction and the superintendents or principals of the two largest independent school districts in the county in Texas; and by the county superintendent of schools and the county commissioners in West Virginia. In Georgia, in counties of over 150,000 in Wisconsin, and in counties of over 500,000 in Missouri the appointment of probation officers is on a civil service basis.

2. Number and salary.

The number and salary of those appointed usually vary with the population of the county. The law provides for a definite number in California,¹ the District of Columbia,² Wilmington, Del.,³ and Baltimore, Md.⁴ A minimum number is prescribed by statute in Connecticut,⁵ Florida,⁶ Georgia,⁷ Indiana,⁸ Kansas,⁹ Maryland,¹⁰ Missouri,¹¹ Nebraska,¹² Nevada,¹³ New Hampshire,¹⁴ New Mexico,¹⁵ New York,¹⁶ Pennsylvania,¹⁷ Tennessee,¹⁸ Utah,¹⁹ Washington,²⁰ and Wisconsin.²¹ A maximum number is defined in Colorado,²² Idaho,²³

¹ *California*. 1915 C 631 ss 19e-19v amended 1917 C 627 and C 634. (Varies from 1 to 30 according to size of county.)

² *District of Columbia*. 34 U. S. Statutes at Large p 73 s 4. (One man and one woman.)

³ *Delaware*. Revised Code 1915 s 3833 amended 1917 C 252. (A chief and three woman assistants.)

⁴ *Maryland*. Code of Public Local Laws art 4 s 886A amended 1902 C 611, 1904 C 514, 1906 C 263 and 1912 C 618. (Five probation officers.)

⁵ *Connecticut*. General Statutes 1918 s 6668. (One or more.)

⁶ *Florida*. 1911 C 6216 s 5 amended 1913 C 6494, 1915 C 6919 and 1917 C 7332. (At least one.)

⁷ *Georgia*. 1915 No. 210 ss 22, 23, 24, and 26 amended 1916 No 575. (One officer and one or more deputies.)

⁸ *Indiana*. Burns' Annotated Statutes 1914 ss 1631-1637. (In counties of 50,000 or more at least one.)

⁹ *Kansas*. General Statutes 1915 ss 3067 and 3092. (One or more.)

¹⁰ *Maryland*. 1916 C 326 s 6. (One or more.)

¹¹ *Missouri*. 1911 p 177 ss 9-11; 1917 p 195 ss 10-13. (One or more.)

¹² *Nebraska*. Revised Statutes 1913 s 1249 amended 1915 C 24 and 1917 C 24. (In counties of 100,000 or more a chief and three assistants, who shall be women.)

¹³ *Nevada*. Revised Laws 1912 s 733 amended 1917 C 63. (Counties over 15,000 one officer and an assistant. Counties less than 15,000 only one paid officer.)

¹⁴ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 ss 6-9) amended 1915 C 96 and 1917 C 74. (At least one.)

¹⁵ *New Mexico*. 1917 C 4 s 11. (At least one.)

¹⁶ *New York*. 1910 C 611 s 11; 1913 C 270 s 11; 1918 C 464 s 11. (Monroe, Chautauqua, and Ontario Counties. One at least.)

¹⁷ *Pennsylvania*. 1903 p 274 s 3 amended 1909 p 80; 1913 p 711 s 9 amended 1915 p 988; 1915 p 5 s 3 amended 1917 p 19. (Philadelphia, Allegheny County, and rest of State, at least one appointed.)

¹⁸ *Tennessee*. Private Acts 1911 C 182 s 8; Private Acts 1913 C 277 s 4 amended 1915 C 292. (Hamilton County at least one. Knox County one man and one woman.)

¹⁹ *Utah*. 1913 C 54 ss 12 and 13. (One at least.)

²⁰ *Washington*. 1913 C 160 s 3. (One or more.)

²¹ *Wisconsin*. Statutes 1915 C 30a ss 573-2.4, 573-2.-4pt, and 573-3.1. (In counties over 150,000 four or more. In other counties at discretion of county board.)

²² *Colorado*. Revised Statutes 1908 s 593. (Counties of 100,000 or more, not over three; between 25,000 and 100,000 not more than two; between 15,000 and 25,000 not more than one.)

²³ *Idaho*. 1911 C 159 s 163 amended 1917 C 84. (In counties of 5,000 school population, not over two. In all other counties only one.)

Iowa,¹ New Jersey,² Massachusetts,³ Mississippi,⁴ Montana,⁵ Oregon,⁶ Tennessee,⁷ Texas,⁸ and West Virginia.⁹ The number to be appointed is left to the discretion of the governor in Maine;¹⁰ to the municipal authorities in Mississippi;¹¹ the board of revenue and the road commissioners in Mobile County, Ala.;¹² the common council in Buffalo;¹³ the court, the board of aldermen, and the board of estimate and apportionment in New York City;¹⁴ the board of estimate and apportionment in Syracuse;¹⁵ the State probation officer in Rhode Island;¹⁶ the State board of charities and probation in Vermont;¹⁷ and the county board in counties of less than 150,000 in Wisconsin.¹⁸ The court decides how many officers are necessary in Alabama,¹⁹ Arizona,²⁰ Arkansas,²¹ Illinois,²² Kentucky,²³ Louisiana,²⁴ Michigan,²⁵ Minnesota,²⁶ Nebraska,²⁷ New York,²⁸ North Carolina,²⁹ North Dakota,³⁰ Ohio,³¹ South Dakota,³² Tennessee,³³ Texas,³⁴ Virginia,³⁵ and West Virginia.³⁶

¹ Iowa. Supplement 1913 s 254-a18; 1917 C 405 s 2. (Counties of 50,000 or more, not to exceed four.)

² New Jersey. Compiled Statutes 1910 p 1879 s 180 amended 1911 C 225; 1913 C 89. (Counties of the first class may have five, counties of the second class three, and all other counties one.)

³ Massachusetts. 1906 C 489 s 6 amended 1918 C 257 s 419; 1908 C 637. (One may be appointed by each court having jurisdiction. The Boston juvenile court may appoint two.)

⁴ Mississippi. 1916 C 111 ss 19 and 23. (One paid officer.)

⁵ Montana. 1911 C 122 s 14 amended 1915 C 52. (A chief and two assistants.)

⁶ Oregon. Lord's Oregon Laws 1910 s 4411 and s 4412 amended 1913 C 249. (In counties of 100,000 or more, two heads of departments, one assistant, and not over six deputies.)

⁷ Tennessee. Public Acts 1911 C 58 ss 6 and 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294. (In counties of 148,000, five.)

⁸ Texas. Code Criminal Procedure 1911 art 1202 amended 1913 C 112; 1917 C 16 amended 1917 C 58. (In counties of 100,000 or over, six.)

⁹ West Virginia. 1915 C 70 s 6 amended 1917 C 63. (Counties over 30,000, four; less than 30,000, one.)

¹⁰ Maine. Revised Statutes 1916 C 137 s 10 amended 1917 C 203.

¹¹ Mississippi. 1916 C 111 ss 19 and 23.

¹² Alabama. Local Laws 1915 No. 128 ss 10-14.

¹³ New York. 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 524, 1914 C 124, and 1917 C 571. (Buffalo.)

¹⁴ New York. 1910 C 659 s 34-1 added 1915 C 531. (New York City.)

¹⁵ New York. 1910 C 676 ss 32-33 amended 1916 C 487 and 1917 C 112. (Syracuse.)

¹⁶ Rhode Island. 1915 C 1185 s 18; s 24 amended 1917 C 1546.

¹⁷ Vermont. General Laws 1917 s 7298.

¹⁸ Wisconsin. Statutes 1915 C 30a s 573-2.4m.

¹⁹ Alabama. General Laws 1915 No 506 s 6; Local Laws 1915 No 361 s 12. (Except Mobile County.)

²⁰ Arizona. Revised Statutes 1913 (Civil Code) s 3565.

²¹ Arkansas. 1911 A 215 s 6 amended 1917 A 420.

²² Illinois. Hurd's Revised Statutes 1917 C 23 s 174.

²³ Kentucky. Carroll's Statutes 1915 s 331e.3 and 20.

²⁴ Louisiana. Constitution 1913 art 118 ss 1 and 2.

²⁵ Michigan. Compiled Laws 1915 s 2015.

²⁶ Minnesota. General Statutes 1913 ss 9385-9391; 1917 C 397 s 9.

²⁷ Nebraska. Revised Statutes 1913 s 1249 amended 1915 C 24 and 1917 C 24.

²⁸ New York. Code Criminal Procedure Part I Title I s 11a.

²⁹ North Carolina. Public Laws 1915 C 222 ss 2 and 3.

³⁰ North Dakota. Compiled Laws 1913 s 11408.

³¹ Ohio. General Code 1910 s 1662 amended 1913 p 864 and 1917 p 19.

³² South Dakota. 1915 C 119 s 24.

³³ Tennessee. Public Acts 1911 C 58 ss 6 and 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

³⁴ Texas. Code Criminal Procedure art 1202 amended 1913 C 112; 1917 C 16 amended 1917 C 58.

³⁵ Virginia. 1914 C 350 ss 5 and 6.

³⁶ West Virginia. 1915 C 70 s 6 amended 1917 C 63.

Provision is made by law for the payment of a definite salary in California,¹ Colorado,² Delaware,³ the District of Columbia,⁴ Florida,⁵ Indiana,⁶ Nebraska,⁷ and the city of Baltimore.⁸ A minimum payment is prescribed in Tennessee⁹ and in Mobile County, Ala.;¹⁰ and a maximum limit is set in Jefferson County, Ala.,¹¹ Arizona,¹² Arkansas,¹³ Colorado,¹⁴ Connecticut,¹⁵ Iowa,¹⁶ Kansas,¹⁷ Kentucky,¹⁸ Missouri,¹⁹ Montana,²⁰ Nevada,²¹ Ohio,²² Oregon,²³ Pennsylvania,²⁴ Tennessee,²⁵ Texas,²⁶ Utah,²⁷ and West Virginia.²⁸ The amount of compensation is decided by the county commissioners in Florida,²⁹ Illinois,³⁰ Maine,³¹ North Carolina,³² South Dakota,³³ and Washing-

¹ *California*. 1915 C 631 ss 18-20 and 19e-19v amended 1917 C 627 and C 634. (From \$600 to \$2,400 according to size of county.)

² *Colorado*. Revised Statutes 1908 s 593. (In counties of 100,000 the chief probation officer is paid \$1,500 and the assistants \$1,200.)

³ *Delaware*. Revised Code 1915 s 3833 amended 1917 C 252. (In Wilmington the salary of the chief is \$1,200, of the three women assistants \$750.)

⁴ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 4. (The man receives \$1,500, the woman \$900.)

⁵ *Florida*. 1911 C 6216 s 5 amended by 1913 C 6494, 1915 C 6919 and 1917 C 7332. (In counties of 90,000 the chief receives \$1,800, the assistants \$900 and \$480.)

⁶ *Indiana*. Burns' Annotated Statutes 1914 ss 1631-1637. (Probation officers receive \$3 per day except that where a special court is established they are paid on the order of the judge.)

⁷ *Nebraska*. Revised Statutes 1913 s 1249 amended 1915 C 24 and 1917 C 24. (In counties of 50,000 and over the chief is paid \$1,200, the assistants \$3 per day; in counties over 100,000 the chief receives \$1,800 and the assistants \$1,200.)

⁸ *Maryland*. Code of Public Local Laws art 4 s 886A amended 1902 C 611, 1904 C 514, 1906 C 263 and 1912 C 618. (\$1,200 in Baltimore.)

⁹ *Tennessee*. Public Acts 1911 C 58 ss 6 and 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. (A minimum of \$10 per year.)

¹⁰ *Alabama*. Local Laws 1915 No 128 ss 10-14. (Chief to receive not less than \$90 per month.)

¹¹ *Alabama*. Local Laws 1915 No 361 s 12. (Not more than \$1,800 to chief, \$1,200 to deputies.)

¹² *Arizona*. Revised Statutes 1913 (Civil Code) s 3565. (Chief not more than \$125 a month.)

¹³ *Arkansas*. 1911 A 215 s 6 amended 1917 A 420. (Chief not over \$1,200, assistant \$900.)

¹⁴ *Colorado*. Revised Statutes 1908 s 593. (In counties of less than 500,000 not over \$1,200 a year.)

¹⁵ *Connecticut*. General Statutes 1918 s 2237. (Not over \$4 a day in cities of 50,000 or over; not more than \$3 in other places.)

¹⁶ *Iowa*. Supplement 1913 s 254-a18; 1917 C 405 s 2. (In counties of 50,000 or over not more than \$75 a month; in counties of 100,000 or over the chief is paid not over \$1,500 and the assistants \$1,200.)

¹⁷ *Kansas*. General Statutes 1915 ss 3067 and 3092. (In cities of 15,000 and counties of 25,000 the compensation is \$3 per day; in other places \$2 a day.)

¹⁸ *Kentucky*. Carroll's Statutes 1915 s 331e.3 and 20. (In counties containing a city of the first or second class the chief may receive \$2,400, the assistants \$1,200 and \$1,000.)

¹⁹ *Missouri*. 1911 p 177 ss 9-11; 1917 p 195 ss 10-13. (From \$300 to \$2,500 according to size of county.)

²⁰ *Montana*. 1911 C 122 s 14 amended 1915 C 52. (Chief \$1,800, assistant \$1,200.)

²¹ *Nevada*. Revised Laws 1912 s 733 amended 1917 C 63. (From \$75 to \$150 a month according to size of county.)

²² *Ohio*. General Code 1910 s 1662 amended 1913 p 864 and 1917 p 19. (Chief \$3,000, assistant \$1,500.)

²³ *Oregon*. Lord's Oregon Laws 1910 s 4411; s 4412 amended 1913 C 249. (In counties over 100,000: the two heads of departments receive \$150; the assistant the same and the deputies \$100 a month.)

²⁴ *Pennsylvania*. 1903 p 274 s 3 amended 1909 p 89; 1913 p 711 s 9 amended 1915 p 988; 1915 p 5 s 3 amended. 1917 p 19. (In Philadelphia the chief is paid not more than \$5,000, and the assistants \$2,500; in Allegheny County the chief may be paid \$3,000 and the assistants \$1,500; and in the rest of the State \$1,200.)

²⁵ *Tennessee*. Public Acts 1911 C 58 ss 6 and 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. (Not over \$1,200.)

²⁶ *Texas*. Code of Criminal Procedure 1911 art 1202 amended 1913 C 112; 1917 C 16 amended 1917 C 58. (In counties of 100,000 or more not over \$100 a month.)

²⁷ *Utah*. 1913 C 54 ss 12 and 13. (Assistants not over \$4 a day.)

²⁸ *West Virginia*. 1915 C 70 s 6 amended 1917 C 63. (In counties of more than 15,000, \$600; in smaller counties \$300.)

²⁹ *Florida*. 1911 C 6216 s 5 amended 1913 C 6494, 1915 C 6919 and 1917 C 7332.

³⁰ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 174.

³¹ *Maine*. Revised Statutes 1916 C 137 s 10 amended 1917 C 203.

³² *North Carolina*. Public Laws 1915 C 222 ss 2 and 3.

³³ *South Dakota*. 1915 C 119 s 24.

ton;¹ by the county board of supervisors in Michigan,² Mississippi,³ and part of New York;⁴ by the county board in Wisconsin;⁵ by the common council in Buffalo;⁶ the board of estimate and apportionment in Syracuse;⁷ the State board of charities and corrections in Rhode Island;⁸ the city government of the county seat in counties of 148,000 in Tennessee;⁹ the State board of charities and probation in Vermont;¹⁰ and by the court in Alabama,¹¹ Idaho,¹² Indiana,¹³ Maryland,¹⁴ Massachusetts,¹⁵ Minnesota,¹⁶ and New Hampshire.¹⁷ Probation officers receive no compensation except expenses in North Dakota,¹⁸ South Carolina,¹⁹ Virginia,²⁰ and certain counties in Oregon,²¹ and South Dakota.²² The Georgia²³ law provides that payment may be made from county funds but does not mention the amount. The law makes no provision for payment in Louisiana, New Jersey, and New Mexico. The law provides for the appointment of volunteer probation officers in Delaware, Florida, Illinois, Kentucky, Maryland, Michigan, Mississippi, Montana, Ohio, Rhode Island, Tennessee, Utah, West Virginia, and Monroe and Ontario Counties, N. Y.

3. Term of office.

The probation officers hold office for two years in California,²⁴ for four years in Florida,²⁵ and during the pleasure of the court in Alabama,²⁶ Nebraska,²⁷ Pennsylvania,²⁸ Tennessee,²⁹ and Washington.³⁰

¹ *Washington*. 1913 C 160 s 3.

² *Michigan*. Compiled Laws 1915 s 2015.

³ *Mississippi*. 1916 C 111 ss 19 and 23.

⁴ *New York*. Code of Criminal Procedure Part I Title I s 11a. (New York State.) 1910 C 611 s 11. (Monroe County.) 1913 C 270 s 11. (Ontario County.)

⁵ *Wisconsin*. Statutes 1915 s 573-2.5.

⁶ *New York*. 1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651 s 524, 1914 C 124, and 1917 C 571. (Buffalo.)

⁷ *New York*. 1910 C 676 ss 32-33 amended 1916 C 487 and 1917 C 112. (Syracuse.)

⁸ *Rhode Island*. 1915 C 1185 ss 18 and 24 amended 1917 C 1546.

⁹ *Tennessee*. Public Acts 1911 C 58 ss 6 and 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

¹⁰ *Vermont*. General Laws 1917 s 7298.

¹¹ *Alabama*. General Laws 1915 No 506 s 6.

¹² *Idaho*. 1911 C 158 s 163 amended 1917 C 84.

¹³ *Indiana*. Burns' Annotated Statutes 1914 ss 1631-1637.

¹⁴ *Maryland*. 1916 C 326 s 6.

¹⁵ *Massachusetts*. 1908 C 637; 1908 C 413 s 7 amended 1912 C 187 and 1916 C 243; 1908 C 465 s 3.

¹⁶ *Minnesota*. General Statutes 1913 ss 9385-9391; 1917 C 397 s 9.

¹⁷ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 ss 6-9) amended 1915 C 96 and 1917 C 74.

¹⁸ *North Dakota*. Compiled Laws 1913 s 11408.

¹⁹ *South Carolina*. 1912 No 429 ss 4 and 5; 1917 No 73 s 4.

²⁰ *Virginia*. 1914 C 350 ss 5 and 6.

²¹ *Oregon*. Lord's Oregon Laws 1910 s 4411; s 4412 amended 1913 C 249. (Counties less than 100,000.)

²² *South Dakota*. 1915 C 119 s 24.

²³ *Georgia*. 1915 No 210 ss 22, 23, 24, and 26 amended 1916 No 575.

²⁴ *California*. 1915 C 631 s 18 amended 1917 C 627 and C 634.

²⁵ *Florida*. 1911 C 6216 s 5 amended 1913 C 6494, 1915 C 6919 and 1917 C 7332.

²⁶ *Alabama*. General Laws 1915 No 506 s 6.

²⁷ *Nebraska*. Revised Statutes 1913 s 1249 amended 1915 C 24 and 1917 C 24.

²⁸ *Pennsylvania*. 1903 p 274 s 3 amended 1909 p 89; 1913 p 711 s 9 amended 1915 p 968; 1915 p 5 s 3 amended 1917 p 19.

²⁹ *Tennessee*. Public Acts 1911 C 58 ss 6 and 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294.

³⁰ *Washington*. 1913 C 160 s 3.

4. Powers and duties.

It is the duty of the probation officer as specified in the laws of thirty-three States ¹ (1) to investigate the case, (2) to be present at the hearing and represent the interests of the child, (3) to give such information and assistance as the court may require, and (4) to take charge of the child before and after trial. In addition, in most of these laws,² he is given the powers of police officer or sheriff, to execute processes and make arrests. The definition of duties is not quite so broad in Alabama,³ Connecticut,⁴ Indiana,⁵ Maine,⁶ New Hampshire,⁷ New York,⁸ North Carolina,⁹ Rhode Island,¹⁰ South Carolina,¹¹ and Vermont.¹² In the District of Columbia ¹³ and New Mexico ¹⁴ duties are prescribed by the court. In Michigan, New Jersey, and Oklahoma there is no mention of any powers or duties.

¹ The following States have most of these provisions: *Arizona*. Revised Statutes 1913 (Civil Code) s 3565. *Arkansas*. 1911 A 215 s 6 amended 1917 A 420. *California*. 1915 C 631 s 20 amended 1917 C 827 and C 634. *Colorado*. Revised Statutes 1908 s 593. *Delaware*. Revised Code 1915 s 3833 amended 1917 C 252. *Florida*. 1911 C 6216 s 5 amended by 1913 C 6494, 1915 C 6919 and 1917 C 7332. *Georgia*. 1915 No 210 ss 22, 23, 24, and 26 amended 1916 No 575. *Idaho*. 1911 C 159 s 163 amended 1917 C 84. *Illinois*. Hurd's Revised Statutes 1917 C 23 s 174. *Iowa*. Supplement 1913 s 254-a18; 1917 C 405 s 2. *Kansas*. General Statutes 1915 ss 3067 and 3092. *Kentucky*. Carroll's Statutes 1915 s 331e.3 and .20. *Louisiana*. Constitution 1913 art 118 s 1. *Maryland*. 1916 C 326 s 6. *Massachusetts*. 1906 C 413 s 7 amended 1912 C 187 and 1916 C 243. *Minnesota*. General Statutes 1913 ss 9385-9391; 1917 C 397 s 9. *Mississippi*. 1916 C 111 ss 19 and 23. *Missouri*. 1911 p 177 ss 9-11; 1917 p 195 s 11. *Montana*. 1911 C 122 s 14 amended 1915 C 52. *Nebraska*. Revised Statutes 1913 s 1249 amended 1915 C 24 and 1917 C 24. *Nevada*. Revised Laws 1912 ss 733 and 734 amended 1917 C 63. *North Dakota*. Compiled Laws 1913 s 11408. *Ohio*. General Code 1910 s 1663. *Oregon*. Lord's Oregon Laws 1910 s 4411; s 4412 amended 1913 C 249. *Pennsylvania*. 1903 p 274 s 3 amended 1909 p 39; 1915 p 5 amended 1917 p 19; 1913 p 711 amended 1915 pp 988 and 1017 and 1917 p 1915. *South Dakota*. 1915 C 119 s 24. *Tennessee*. Public Acts 1911 C 58 ss 6 and 18 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294. *Texas*. Code of Criminal Procedure 1911 art 1208 amended 1913 C 112; 1917 C 16 amended 1917 C 58. *Utah*. 1913 C 54 ss 12 and 13. *Virginia*. 1914 C 380 ss 5 and 6. *Washington*. 1913 C 160 s 3. *West Virginia*. 1915 C 70 s 6 amended 1917 C 68. *Wisconsin*. Statutes 1915 ss 573-3.1 to 573-3.6.

² Arizona, California, Colorado, Delaware, Georgia, Idaho, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Missouri, Montana, Nevada, Ohio, Oregon, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin. Also Monroe and Ontario Counties, N. Y. (1910 C 611 s 11; 1913 C 270 s 11).

³ *Alabama*. General Laws 1915 No 506 s 6; Local Laws 1915 No 128 ss 10-14 and No 361 s 12. (Petition, supervision, and powers of peace officers.)

⁴ *Connecticut*. General Statutes 1918 s 6669. (Investigate, preserve records, and take charge of all persons placed on probation.)

⁵ *Indiana*. Burns' Annotated Statutes 1914 ss 1631-1637. (Investigate, report to court, represent child at hearing, and visit child placed on probation.)

⁶ *Maine*. Revised Statutes 1916 C 137 s 10 amended 1917 C 303. (Investigate the school attendance of children between 5 and 16.)

⁷ *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 ss 6-9) amended 1915 C 96 and 1917 C 74. (Investigate every criminal case.)

⁸ *New York*. Code of Criminal Procedure Part I Title I s 11a. (Investigate, report to judge, supervise persons placed on probation.)

⁹ *North Carolina*. Public Laws 1915 C 222 ss 2 and 3. (Charge of all delinquent and dependent children brought before the court.)

¹⁰ *Rhode Island*. 1915 C 1185 ss 18 and 24 amended 1917 C 1546. (Investigate case and represent child.)

¹¹ *South Carolina*. 1912 No 429 ss 4 and 5; 1917 No 73 s 4. (Investigate, take charge of child, and report on conduct.)

¹² *Vermont*. General Laws 1917 ss 7299-7304. (Care and custody of all persons placed on probation.)

¹³ *District of Columbia*. 34 U. S. Statutes at Large p 73 s 4.

¹⁴ *New Mexico*. 1917 C 4 s 11.

C. ADVISORY, SUPERVISORY, OR ADMINISTRATIVE BOARD.

The statutes of Alabama,¹ Arkansas,² California,³ Delaware,⁴ Florida,⁵ Georgia,⁶ Illinois,⁷ Kentucky,⁸ Massachusetts,⁹ Minnesota,¹⁰ Missouri,¹¹ Montana,¹² Nebraska,¹³ North Dakota,¹⁴ Oregon,¹⁵ Pennsylvania,¹⁶ Tennessee,¹⁷ Texas,¹⁸ Utah,¹⁹ Washington,²⁰ West Virginia,²¹ and Wisconsin²² provide for the establishment of a board or committee to assist in the administration of the juvenile-court law. It is in most instances composed of citizens appointed by the judge to serve without compensation, whose duty it is to inspect institutions and associations to which the court commits children, to visit children placed in family homes, to render any advice and assistance which the court may require, and to make an annual report to the public concerning the work of the court.

D. RECORDS AND REPORTS.

A separate juvenile record is required in all States²³ except Georgia, Maine, South Carolina, Texas, and Wyoming. The laws estab-

¹ *Alabama*. General Laws 1915 No 506 s 13; Local Laws 1915 No 361 s 20b; Local Laws 1915 No. 128 s 10. (In Mobile County the juvenile-court commission is appointed by the board of revenue and the road commissioners.)

² *Arkansas*. 1911 A 215 s 14 amended 1917 A 420.

³ *California*. 1915 C 631 s 17 amended 1917 C 627 and C 634. (Also controls management of detention home.)

⁴ *Delaware*. Revised Code 1915 s 3838. (Applies to Wilmington.)

⁵ *Florida*. 1915 C 6841.

⁶ *Georgia*. 1915 No 210 s 38 amended 1916 No 575.

⁷ *Illinois*. Hurd's Revised Statutes 1917 C 23 ss 186-187.

⁸ *Kentucky*. Carroll's Statutes 1915 s 231a.17.

⁹ *Massachusetts*. 1938 C 465. (Appointed by the chief justice of the superior court.)

¹⁰ *Minnesota*. 1917 C 194 ss 4-7. (A county board of child welfare appointed by the State board of control at the request of the county board. Where no such board is appointed the judge of the juvenile court may appoint a local agent. Board or agent may perform duties of probation and school attendance officers.)

¹¹ *Missouri*. Revised Statutes 1909 ss 1329-1332.

¹² *Montana*. 1911 C 122 s 13.

¹³ *Nebraska*. Revised Statutes 1913 s 1261. (Supervise detention home also.)

¹⁴ *North Dakota*. Compiled Laws 1913 s 11420. (Investigate cases also.)

¹⁵ *Oregon*. Lord's Oregon Laws 1910 s 4421.

¹⁶ *Pennsylvania*. 1903 p 8 s 1 amended 1913 p 452.

¹⁷ *Tennessee*. Public Acts 1911 C 58 s 13 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294. (Board of visitation appointed by the court in each county. A board of visitors and supervisors of the juvenile court may be appointed in counties having a population of 100,000 by the governing authority of the county seat.)

¹⁸ *Texas*. 1917 C 16 amended 1917 C 58. (In counties having a population of 100,000 or over and containing a city of 70,000 the judges of the civil and criminal district courts together with the county judge are constituted a juvenile board of the county. This board exercises functions similar to those described above.)

¹⁹ *Utah*. 1913 C 54 s 1. (A juvenile-court commission consisting of the governor, the Attorney General, and the State superintendent of public instruction. Although a State commission, has powers and functions similar to those exercised by most of the above-mentioned boards and commissions.)

²⁰ *Washington*. 1913 C 160 s 18.

²¹ *West Virginia*. 1915 C 70 s 23 amended 1917 C 63.

²² *Wisconsin*. Statutes 1915 s 573f amended 1917 C 589; and s 573-10. (Two organizations are appointed by the judge: (1) a county board of child welfare for advice and consultation on the administration of the law granting pensions to mothers; (2) a board of visitation similar to the boards in other States.)

²³ *Alabama*. General Laws 1915 No 506 s 4. *Arizona*. Revised Statutes 1913 (Civil Code) s 3568. *Arkansas*. 1911 A 215 s 3 amended 1917 A 420. *California*. 1915 C 631 s 16 amended 1917 C 627 and C 634. *Colorado*. Revised Statutes 1908 s 587. *Connecticut*. General Statutes 1918 s 1856. *Delaware*. Revised Code 1915 s 3831. (Wilmington.) *Florida*. 1911 C 6216 s 2 amended 1913 C 6494, 1915 C 6919 and 1917 C 7332. *Iaho*. 1911 C 100 s 153 amended 1917 C 84. *Illinois*. Hurd's Revised Statutes 1917 C 23 s 171. *Indiana*.

lishing special juvenile courts in the District of Columbia; Mobile and Jefferson Counties, Ala.; the city of Buffalo, and Monroe, Ontario, and Chautauqua Counties, N. Y., do not mention the keeping of records.

The juvenile court is required to report periodically to some other authority in Arkansas,¹ California,² Colorado,³ Delaware,⁴ Idaho,⁵ Iowa,⁶ Kansas,⁷ Kentucky,⁸ Louisiana,⁹ Michigan,¹⁰ Montana,¹¹ Nebraska,¹² New Hampshire,¹³ Oklahoma,¹⁴ Utah,¹⁵ Virginia,¹⁶ West Virginia,¹⁷ New York City,¹⁸ and Buffalo, N. Y.¹⁹ These reports are annual except in Nebraska, New Hampshire, and Utah, where they are to be made monthly. They usually contain the number and the disposition of children dealt with and "other useful information" which may be required. Reports are made to the governor of the State in Arkansas, Idaho, Kansas, and Kentucky; to the State board of charities in California, Colorado, Louisiana, Michigan, Nebraska, New Hampshire, and Virginia; to the commissioner of charities and corrections in Oklahoma; to the State board of control in Iowa; to the county board in California and Colorado; to the county commissioners in West Virginia; to the court of general sessions in Delaware; to the juvenile-court commission in Utah; to the common council in Buffalo, N. Y.; and to the secretary of state, the mayor, the comptroller, and the board of aldermen in New York City.

Burns' Annotated Statutes 1914 s 1630. *Iowa*. Supplement 1913 s 254-a13. *Kansas*. General Statutes 1915 s 3068. *Kentucky*. Carroll's Statutes 1915 s 331e.2. *Louisiana*. Constitution 1913 art 118 s 2. *Maryland*. 1916 C 326 s 3. *Massachusetts*. Revised Laws 1902 C 86 s 16; 1906 C 413 s 6 amended 1912 C 187 and 1916 C 243. *Michigan*. Compiled Laws 1915 s 2013. *Minnesota*. 1917 C 397 s 3. *Mississippi*. 1916 C 111 s 22. *Missouri*. 1911 p 177 s 2; 1917 p 195 s 2. *Montana*. 1911 C 122 s 3. *Nebraska*. Revised Statutes 1913 s 1246. *Nevada*. Revised Laws 1912 s 730. *New Hampshire*. 1917 C 31 s 2. *New Jersey*. Compiled Statutes 1910 p 187 s 207 amended 1916 s 212; 1912 C 353 s 8. *New Mexico*. 1917 C 4 s 3. *New York*. Consolidated Laws 1909 C 40 (Penal) s 487; 1910 C 639 s 34-1 added 1915 C 531. *North Carolina*. Public Laws 1915 C 222 s 4. *North Dakota*. Compiled Laws 1913 s 11405. *Ohio*. General Code 1910 s 1641. *Oklahoma*. Revised Laws 1910 s 4414. *Oregon*. Lord's Oregon Laws 1910 s 4408 amended 1913 C 249 and 1915 C 147. *Pennsylvania*. 1893 p 459 s 2, 1903 p 274 s 1. *Rhode Island*. 1915 C 1185 s 13 amended 1917 C 1546. *South Dakota*. 1915 C 119 s 3. *Tennessee*. Public Acts 1911 C 58 s 3 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and Private Acts 1917 C 294. *Utah*. 1913 C 54 s 1. *Vermont*. General Laws 1917 s 7324. *Virginia*. 1914 C 57 s 8. *Washington*. 1913 C 160 s 2. *West Virginia*. 1915 C 70 s 3 amended 1917 C 63. *Wisconsin*. Statutes 1915 ss 573-2.2 and 573-2.3.

¹ *Arkansas*. 1911 A 215 s 16 amended 1917 A 420.

² *California*. 1915 C 631 s 2) amended 1917 C 627 and C 634.

³ *Colorado*. Revised Statutes 1908 s 587.

⁴ *Delaware*. Revised Code 1915 s 3631.

⁵ *Idaho*. 1911 C 159 s 153 amended 1917 C 84.

⁶ *Iowa*. Supplement 1913 s 254-a26.

⁷ *Kansas*. General Statutes 1915 ss 3090 and 3095.

⁸ *Kentucky*. Carroll's Statutes 1915 s 331e.2.

⁹ *Louisiana*. Constitution 1913 art 118 s 4.

¹⁰ *Michigan*. Compiled Laws 1915 s 2015.

¹¹ *Montana*. 1911 C 122 s 3.

¹² *Nebraska*. Revised Statutes 1913 ss 5831-5837.

¹³ *New Hampshire*. Public Statutes Supplement 1913 C 65 (Laws 1907 C 125 s 10) amended 1915 C 96 and 1917 C 74.

¹⁴ *Oklahoma*. Revised Laws 1910 s 4415.

¹⁵ *Utah*. 1913 C 54 s 15.

¹⁶ *Virginia*. 1914 C 359 s 6.

¹⁷ *West Virginia*. 1915 C 70 s 25 amended 1917 C 63.

¹⁸ *New York*. 1910 C 659 s 34-j added 1915 C 531. (New York City.)

¹⁹ *New York*. 1891 C 103 amended 1901 C 627, 1902 C 549, 1908 C 59, 1911 C 651 s 522, 1914 C 124 and 1917 C 571.

VIII. CONSTRUCTION AND PURPOSE OF THE LAW.

Thirty-five States have provided for liberal construction of the juvenile-court law. In Alabama ¹ "all proceedings shall be upon the theory that the child is a ward of the State and subject to the discipline and entitled to the protection which the court should give under the conditions disclosed." A similar statement is contained in the Georgia ² statute and in the laws applying to Monroe, Ontario, and Chautauqua Counties, N. Y.³ In Mississippi⁴ the act shall be liberally construed, and wide discretion given all officers in carrying out its objects, with proper regard to the welfare of the child and to the public interest. In Illinois⁵ the act "shall be liberally construed to the end that the care, custody, and discipline of the child may approximate that which should be given by its parents." The provision is substantially the same in Arkansas,⁶ California,⁷ Colorado,⁸ Delaware,⁹ Florida,¹⁰ Indiana,¹¹ Iowa,¹² Kansas,¹³ Kentucky,¹⁴ Louisiana,¹⁵ Massachusetts,¹⁶ Minnesota,¹⁷ Missouri,¹⁸ Montana,¹⁹ Nebraska,²⁰ Nevada,²¹ New Hampshire,²² New Jersey,²³ North Dakota,²⁴ Ohio,²⁵ Oklahoma,²⁶ Oregon,²⁷ Rhode Island,²⁸ South

¹ *Alabama*. General Laws 1915 No 506 s 4.

² *Georgia*. 1915 No 210 s 10 amended 1916 No 575.

³ *New York*. 1910 C 611 ss 1 and 7; 1913 C 270 s 7; 1918 C 464 s 2. (Shall be construed as remedial in character.)

⁴ *Mississippi*. 1916 C 111 s 20.

⁵ *Illinois*. Hurd's Revised Statutes 1917 C 23 s 189.

⁶ *Arkansas*. 1911 A 215 s 17.

⁷ *California*. 1915 C 631 s 24 amended 1917 C 627 and C 634.

⁸ *Colorado*. Revised Statutes 1908 ss 560 and 697; s 558 amended 1913 p 694. (For the protection of the child, the home, and the State, in the interest of public morals, and for the prevention of poverty and crime.)

⁹ *Delaware*. Revised Code 1915 s 3841. (Wilmington.)

¹⁰ *Florida*. 1911 C 6216 s 15 amended 1913 C 6494, 1915 C 6919 and 1917 C 7332.

¹¹ *Indiana*. Burns' Annotated Statutes 1914 ss 1640 and 1646.

¹² *Iowa*. Supplement 1913 ss 254-a28 and 254-a47.

¹³ *Kansas*. General Statutes 1915 s 3079.

¹⁴ *Kentucky*. Carroll's Statutes 1915 s 331e.18. (Child to be cared for as it would be by chancery court.)

¹⁵ *Louisiana*. Constitution 1913 art 118 s 4.

¹⁶ *Massachusetts*. 1906 C 413 s 2 amended 1912 C 187 and 1916 C 243.

¹⁷ *Minnesota*. 1917 C 397 s 32.

¹⁸ *Missouri*. 1911 p 177 s 22; 1917 p 195 s 18.

¹⁹ *Montana*. 1911 C 122 s 24.

²⁰ *Nebraska*. Revised Statutes 1913 s 1260.

²¹ *Nevada*. Revised Laws 1912 s 750.

²² *New Hampshire*. Public Statutes Supplement 1913 C 85 (Laws 1907 C 125 s 19) amended 1915 C 96 and 1917 C 74.

²³ *New Jersey*. 1912 C 353 s 22. (Essex and Hudson Counties.)

²⁴ *North Dakota*. Compiled Laws 1913 s 11422.

²⁵ *Ohio*. General Code 1910 s 1683. (To best subserve the moral and physical welfare of the child.)

²⁶ *Oklahoma*. Revised Laws 1910 s 4426.

²⁷ *Oregon*. Lord's Oregon Laws 1910 s 4424.

²⁸ *Rhode Island*. 1915 C 1185 s 22 amended 1917 C 1546.

Dakota,¹ Tennessee,² Utah,³ Vermont,⁴ Virginia,⁵ Washington,⁶ and West Virginia.⁷

¹ South Dakota, 1915 C 119 s 35.

² Tennessee, Public Acts 1911 C 58 s 17 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41 and 1918 C 101 s 107 C 264.

³ Utah, 1915 C 24 s 12.

⁴ Vermont, General Laws 1917 s 7337. (That the restraint of a delinquent shall tend rather toward his education than toward his punishment as a criminal.)

⁵ Virginia, 1914 C 250 s 14.

⁶ Washington, 1913 C 169 s 14.

⁷ West Virginia, 1915 C 70 s 26 amended 1917 C 63.

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LIST OF REFERENCES, BY STATES, TO STATUTORY SOURCES.

Alabama :

General Laws 1915 No 506 (p 577) and No 498 (p 560). (State.)
Local Laws 1915 No 128 (p 115), No 361 (p 268), and No 110
(p 30). (Mobile and Jefferson Counties.)

Arizona :

Revised Statutes 1913 (Civil Code) ss 3562-3578.
Revised Statutes 1913 (Penal Code) ss 255-271, 1468.
1917 C 18.
1917 C 89. (Control of State institutions.)

Arkansas :

1911 A 215 amended 1917 A 420.
1917 A 326. (Mothers' pensions.)

California :

1915 C 631 amended 1917 C 627 and C 634.
1915 C 776. (Mental defectives.)
1917 C 168. (Desertion and nonsupport.)

Colorado :

Revised Statutes 1908.
ss 552-608 (s 558 amended 1913 p 694; s 588 amended 1909
C 156).
ss 1549-1559. (Minors.)
ss 1589-1607. (Counties of 100,000.)
1909 C 157. (Contributing to delinquency and dependency.)
1909 C 158.
1911 C 95. (Child labor.)
1911 C 186. (Probation officers.)
1913 C 50. (State home.)
1913 C 51.

Connecticut :

General Statutes 1918.
ss 1766-1799. (County homes.)
ss 1800-1830. (Industrial schools.)
ss 1853-1859. (Juvenile offenders.)
ss 1860-1863.
s 1870. (Appeal.)
ss 1888 and 1893. (State board of charities.)
s 2237. (Payment to probation officers.)
ss 6668-6675. (Probation officers.)

Delaware:

Revised Code 1915.

ss 2192-2213. (Industrial schools.)

ss 3816-3826. (Juvenile delinquents and probation.)

ss 3827-3843 (ss 3830 and 3833 amended 1917 C 252;
ss 3837A and 3840A added 1917 C 253).

District of Columbia:

U. S. Revised Statutes Supplement 1891 C 58 p 474.

U. S. Revised Statutes Supplement 1901 C 250 p 48.

U. S. Revised Statutes Supplement 1901 C 807 p 1446.

U. S. Revised Statutes Supplement 1901 C 847 p 1544.

32 U. S. Statutes at Large p 972.

34 U. S. Statutes at Large p 73.

35 U. S. Statutes at Large p 420.

37 U. S. Statutes at Large p 134.

39 U. S. Statutes at Large p 56.

Florida:

1911 C 6216 amended 1913 C 6494, 1915 C 6919 and 1917 C 7332.

1911 C 6221.

1915 C 6840.

1915 C 6841.

1915 C 6906.

Georgia:

1915 No 210 amended 1916 No 575 (p 58).

Idaho:

Revised Code 1908 s 823.

1909 p 38 No 267 amended 1911 C 185 and C 193.

1911 C 159 amended 1917 C 84.

Illinois:

Hurd's Revised Statutes 1917.

C 23 ss 169-190d, 271-278, 341.

C 38 ss 42 hi-42 hn.

C 122 ss 324, 328, and 329.

Indiana:

Burns' Annotated Statutes 1914.

ss 1630-1649.

s 6678 amended 1915 C 77.

Supplement 1918 ss 1640a, 1641, 1648, and 6676.

Iowa:

Supplement to the Code 1913 ss 254-a13 to 254-a47.

Supplemental Supplement 1915 ss 254-a15, 254-a16 and 254-a
to 254-1.

1917 C 405.

Kansas:

General Statutes 1915.

ss 3065-3103 (s 3065 amended 1917 C 154).

ss 9416-9417. (School attendance.)

s 9689. (State orphans' home.)

ss 10077-10118. (Industrial schools.)

Kentucky:

Carroll's Statutes 1915.

ss 331d.1-331d.11. (Contributing to delinquency and dependency.)

ss 331e.1-331e.23.

ss 331g.1-331g.6. (Parent contributing to delinquency.)

Louisiana:

Constitution 1913 art 118 (s 5 repealed 1916 No 13).

1916 No 139.

1918 No 143.

1918 No 169.

Maine:

Revised Statutes 1916.

C 64 ss 49-62 (s 53 amended 1917 C 297).

C 120 ss 33-37. (Contributing to delinquency.)

C 137 s 10 amended 1917 C 203; ss 15 and 16.

C 144. (State juvenile institutions.)

Maryland:

Code of Public Local Laws.

Art 1 ss 184A-184C amended 1912 C 471 and 1914 C 701;
ss 184D-184F added 1914 C 701.

Art 4 s 623A amended 1902 C 611, 1904 C 521, and 1910 C 41.

Art 4 ss 886A and 886B amended 1902 C 611, 1904 C 514,
and 1912 C 618. (s 886A also amended 1906 C 263.)

ss 886C-886F added 1912 C 618.

s 886F also amended 1918 C 208.

1916 C 326 p 675.

1916 C 670. (Mothers' pensions.)

Massachusetts:Revised Laws 1902 C 86 (s 20 amended 1902 C 314, s 31 amended
1904 C 459, and s 36 amended 1904 C 363); C 84 s 2 amended
1908 C 598; C 217 s 83; C 46 s 6 amended 1913 C 779.

1903 C 334 amended 1909 C 181.

1905 C 464 s 1.

1906 C 413 amended 1912 C 187 and 1916 C 243.

1906 C 489 amended 1918 C 257 s 419. (Boston.)

Massachusetts—Continued.

- 1907 C 335.
- 1907 C 411 amended 1918 C 257 s 418.
- 1908 C 465.
- 1908 C 637.
- 1908 C 639.
- 1911 C 175.
- 1913 C 457.

Michigan:

Compiled Laws 1915 ss 2011–2028.

Minnesota:

General Statutes 1913.

- ss 202–204.
- ss 9385–9391.
- ss 9394–9397. (Industrial schools.)
- 1917 C 194 ss 1–7. (State board of control and county board of welfare.)
- 1917 C 212 ss 18 and 19.
- 1917 C 223. (Mothers' pensions.)
- 1917 C 265. (Confinement of minors.)
- 1917 C 397.

Mississippi:

- 1916 C 111.

Missouri:

Revised Statutes 1909.

- ss 466, 469, 470 and 472.
- ss 467, 468, 471 and 473 amended 1917 p 109.
- ss 1329–1332. (Board of county visitors.)
- s 4491. (Contributing to delinquency.)
- 1911 p 120 amended 1913 p 146. (Mothers' pensions.)
- 1911 p 177.
- 1911 p 349. (Board of children's guardians.)
- 1917 p 195.

Montana:

Revised Code 1907 ss 271–281 and 7829–7843.

- 1911 C 122 ss 1–24 (s 14 amended 1915 C 52.)
- 1913 C 76 s 1107.
- 1917 C 83. (Mothers' pensions.)

Nebraska:

Revised Statutes 1913.

- ss 1244–1264 (s 1249 amended 1915 C 24 and 1917 C 24).
- ss 5831–5837.

Nevada:

Revised Laws 1912.

ss 728-764 (s 733 amended 1917 C 63; s 734 amended 1917 C 63).

ss 4087-4108. (State orphans' home.)

ss 4098 and 4099 amended 1913 C 243.

1913 C 254. (State school of industry.)

New Hampshire:

Public Statutes Supplement 1913.

C 85 (Laws 1907 C 125) amended 1915 C 96 and 1917 C 74.
C 284.

1917 C 31.

New Jersey:

Compiled Statutes 1910.

p 453.

p 1874 ss 163-166.

p 1879 ss 180-185 (s 180 amended 1911 C 225 and 1913 C 89).

p 1887 ss 206-225 (s 207 amended 1916 C 212.)

1912 C 327 amended 1918 C 84.

1912 C 353 amended 1918 C 81. (Counties of the first class.)

1912 C 360 ss 1-5 amended 1918 C 83.

1913 C 221 s 4 amended 1915 C 224.

1913 C 281 amended 1915 C 118. (Mothers' pensions.)

1913 C 340. (School for dependent and delinquent children.)

1915 C 246 amended 1918 C 85.

1918 C 82.

1918 C 86.

1918 C 147. (Correctional and reformatory institutions.)

New Mexico:

Statutes 1915 ss 5107-5110. (Reform school.)

1917 C 4. (Delinquent children.)

1917 C 85. (Dependent and neglected children.)

New York:

Consolidated Laws 1909.

C 40 (Penal).

art 44 ss 480-493, amended as follows:

s 483(3) repealed 1910 C 699.

s 484 amended 1910 C 383 and C 475, 1911 C 243,
and 1917 C 564.

s 485 amended 1916 C 278.

s 486 amended 1912 C 169, 1915 C 480 and 1917
C 430.

s 494 added 1910 C 699.

art 196 s 2184 amended 1913 C 607; ss 2186 and 2194.

C 11 (County law) s 99.

C 55 (State charities law) s 184, s 213 amended 1910 C 449,
and s 366.

New York—Continued.

Code of Criminal Procedure Part I Title I s 11a: Part IV Title XII s 554(4).

1891 C 105 amended 1901 C 627, 1902 C 549, 1908 C 50, 1911 C 651, 1914 C 124 and 1917 C 571. (Buffalo.)

1910 C 611. (Monroe County.)

1910 C 659 amended 1911 C 721, 1913 C 691 and 1915 C 531. (New York City.)

1910 C 676 amended 1916 C 487 and 1917 C 112. (Syracuse.)

1913 C 270. (Ontario County.)

1915 C 489. (Saratoga County.)

1918 C 108. (Olean.)

1918 C 464. (Chautauqua County.)

North Carolina:

Public Laws 1915 C 222.

Public Laws 1917 C 170. (State board of charities.)

Public Laws 1917 C 255. (State industrial schools.)

North Dakota:

Compiled Laws 1913 ss 11402-11428; s 10959.

1915 C 179. (Juvenile commissioner.)

Ohio:

General Code 1910.

s 1532-1 added 1916 p 424. (Montgomery County.)

s 1532-2 added 1917 p 703. (Summit County.)

s 1532-4 added 1917 p 721. (Mahoning County.)

ss 1639-1683, amended as follows:

ss 1639, 1642-1647, 1648, 1651-1656, 1658-1662, 1668, 1670, 1672, 1675-1678 and 1680 amended 1913 p 864.

s 1639 also amended 1914 p 176. (Hamilton County.)

s 1645 also amended 1915 p 458.

ss 1648-1 and 1652-1 added 1913 p 864.

s 1662 also amended 1917 p 19.

s 1676 repealed and reenacted as s 1352-2 1913 p 864.

s 1683-1 added 1911 p 425.

s 1683-1 supplemented 1913 p 864.

ss 1683-2 to 1683-3 added 1913 p 864 and amended 1915 p 436.

ss 1683-4 to 1683-9 added 1913 p 864.

s 1683-10 added 1914 p 199.

ss 1683-13 to 1683-19 added 1917 p. 732. (Lucas County.)

s 1841-1 added 1913 p 175.

ss 2497-2499.

ss 2971-2976 amended 1913 p 864.

s 3169.

s 4102.

s 6272.

Oklahoma:

Revised Laws 1910 ss 4412-4426 (s 4420 repealed 1915 p 199 s 1).
1915 C 183. (Mothers' pensions.)
1915 p 230. (State home.)
1917 p 292. (State home.)
Constitution art 6 s 28. (State board of charities.)

Oregon:

Lord's Oregon Laws 1910.
ss 2150-2154. (Contributing to delinquency or dependency.)
ss 4406-4426 (s 4407 amended 1915 C 147; s 4408 amended 1913 C 249 and 1915 C 147; ss 4412 and 4416 amended 1913 C 249).
1917 C 48. (Illegitimate children.)
1917 C 267. (Mothers' pensions.)

Pennsylvania:

1893 p 459.
1903 p 8 amended 1913 p 452.
1903 p 11.
1903 p 137 amended 1913 p 870.
1903 p 274 amended 1909 p 89, 1909 p 119, 1911 p 543, 1911 p 959, 1913 p 1039, and 1915 p 304.
1909 p 434.
1911 p 198 amended 1915 p 5 and 1917 p 19. (Allegheny County.)
1913 p 177.
1913 p 711 amended 1915 p 988, 1915 p 1017 and 1917 p 1015. (Philadelphia.)
1915 p 244.
1915 p 652.

Rhode Island:

General Laws 1909.
C 139 ss 1-11 (s 3 amended 1912 C 827; ss 10 and 11 added 1910 C 550).
C 140 ss 1-7 (s 7 added 1910 C 551).
C 354 s 46 amended 1915 C 1261.
1915 C 1185 amended 1917 C 1546.

South Carolina:

1912 No 429. (State.)
1917 No 73. (Counties of more than 20,000 and not over 50,000.)

South Dakota:

1907 C 223. (State training school.)
1909 C 275 amended 1913 C 175. (Contributing to delinquency or dependency.)
1915 C 119.
1917 C 300. (Mothers' pensions.)

Tennessee:

Public Acts 1911 C 58 amended 1913 (First Extra Session) C 22, 1915 C 177, 1917 C 41, and Private Acts 1917 C 294. (State except counties of 70,000 to 90,000.)

Private Acts.

1911 C 182. (Hamilton County.)

1913 C 277 amended 1915 C 292. (Knox County.)

Public Acts.

1915 C 32. (Mothers' pensions.)

1915 C 86.

1915 C 120. (Desertion and nonsupport.)

1917 C 120.

Texas:

Revised Civil Statutes 1911.

art 2184-2190. (Dependent and neglected children.)

art 2191-2201 superseded 1913 C 112. (Delinquent children.)

Code of Criminal Procedure 1911 art 1195-1207 (art 1205 repealed 1913 C 112; art 1195-1207 amended 1913 C 112; art 1197 also amended 1918 C 26).

Penal Code 1911 art 1055; art 1055a added 1918 C 52.

1913 C 144 p 289. (State training school for girls.)

1917 C 93 p 252 amended 1918 C 14; C 16 amended 1917 C 58.

Utah

Compiled Laws 1907 ss 720x23-720x48 amended as follows:

ss 720x24, 25, 29, 30 and 32 amended 1909 C 123.

s 720x37 amended 1911 C 55.

ss 720x42 and 720x43 amended 1909 C 110.

s 720x42 also amended 1911 C 54.

1913 C 54.

1913 C 90. (Mothers' pensions.)

1911 C 144 s 15. (Child labor.)

Vermont:

General Laws 1917.

ss 7292-7304. (Probation.)

s 7313. (Board of charities and probation.)

ss 7323-7337.

Virginia:

1914 C 57. (Counties of 50,000 or more.)

1914 C 170. (Industrial schools.)

1914 C 228. (Contributing to delinquency.)

1914 C 350. (State.)

1918 C 189. (County or city farms.)

Washington:

- 1913 C 111. (Discharge from State training school.)
- 1913 C 157. (State training school.)
- 1913 C 160.
- 1915 C 155. (Mothers' pensions.)

West Virginia:

- 1909 C 81 amended 1917 C 29. (West Virginia Children's Home.)
- 1915 C 70 amended 1917 C 63.
- 1917 C 51. (Desertion and nonsupport.)

Wisconsin:

- Statutes 1915.
 - ss 561-567d.
 - ss 573-573j; 573-5.2a added 1917 C 350; 573f-1, 2, 5 and 6 amended 1917 C 589. (Aid to mothers); 573f-6a added 1917 C 589).
 - s 1728a-1 amended 1917 C 674. (Child labor.)
 - s 458ii. (Contributing to delinquency.)

Wyoming:

- Compiled Statutes 1910 ss 3123-3135 and 1097.
- 1915 C 99. (Definitions, agencies, and placing.)

APPENDIX.

ADDITIONS AND AMENDMENTS TO JUVENILE-COURT LAWS ENACTED DURING THE YEAR 1919.

The juvenile-court legislation enacted by 28 States during 1919 includes two acts creating special juvenile courts and defining the procedure for the treatment of delinquent and dependent children, one for counties of 150,000 or over in Alabama,¹ the other for the city of Kingsport in Tennessee.² The Alabama statute supersedes the local law applying to Jefferson County.

Idaho³ enacts a new law for the care of dependent and neglected children.

West Virginia⁴ separates the former juvenile-court law into two laws relating to delinquent and to dependent children, respectively. One of these statutes establishes also a State board of children's guardians in place of the West Virginia Humane Society and gives to this board control over dependent and neglected children, as well as the functions of administration and supervision of institutions exercised by the State board of control under the old law.

Indiana⁵ creates a probate court for Vanderburgh County and confers jurisdiction under the juvenile-court law upon that court. Oregon⁶ establishes a court of domestic relations in counties of 200,000 or more and gives to it the juvenile-court jurisdiction.

Wisconsin⁷ consolidates and renumbers numerous provisions of the statutes relating to children and to juvenile courts with few changes in substance.

The amendments in other States which are less extensive in character will appear in the following outline.

I. THE COURT GIVEN JURISDICTION.

Original and exclusive jurisdiction in the cases of delinquent, dependent, and neglected children is given to the special juvenile courts established in counties of 150,000 or over in Alabama¹ and in the city of Kingsport in Tennessee,² to the newly created probate court of Vanderburgh County in Indiana,³ and to the court of domestic relations established in counties of 200,000 or more in Oregon.¹⁰

¹ *Alabama*. General Laws 1919 No 146 s 5.

² *Tennessee*. Private Acts 1919 C 558.

³ *Idaho*. 1919 C 161.

⁴ *West Virginia*. 1919 C 110 and C 111.

⁵ *Indiana*. 1919 C 99.

⁶ *Oregon*. 1919 C 296.

⁷ *Wisconsin*. 1919 C 614.

⁸ *Tennessee*. Private Acts 1919 C 558 ss 2 and 3.

⁹ *Indiana*. 1919 C 99 s 11.

¹⁰ *Oregon*. 1919 C 296 s 1.

Nebraska ¹ provides that in counties of more than 50,000 population the judges of the district court shall select one of their number to hear all cases arising under the juvenile-court law.

West Virginia ² provides for admission to the home for dependent children in Marion County through the county court, although jurisdiction under the juvenile-court law is conferred upon circuit courts, criminal courts, and courts of common pleas. Jurisdiction under the statute relating to dependent and neglected children ³ is given to the circuit, common pleas, criminal, intermediate, or juvenile court.

Wisconsin ⁴ provides that all courts of record shall have original jurisdiction concurrent with the circuit courts but that the judges of the several courts of record in each county shall designate each year one judge to hear all cases arising under the juvenile-court law.

Tennessee ⁵ requires that children brought before justices of the peace or recorders, or arrested by peace officers, in the city of Kingsport shall be immediately transferred to the juvenile court and authorizes transfer by the criminal court of children indicted by the grand jury.

II. EXTENT OF JURISDICTION.

A. OVER CHILDREN.

1. Age limitation.

The Alabama statute applying to counties of 150,000 or over ⁶ gives the juvenile court jurisdiction over boys under 16 and girls under 18 who are dependent or delinquent. Jurisdiction once obtained may continue through the minority of the child.

In Montana ⁷ the age limitation is raised from 17 to 18 for all children. New Mexico ⁸ extends certain provisions of the juvenile-court law to girls under 18. Wyoming ⁹ extends the classification of juvenile delinquents to all under 21.

The Maine statute entitled an "Act of Juvenile Delinquency" ¹⁰ applies only to boys between 8 and 16.

The Idaho statute relating to dependent children ¹¹ applies to those under 18. Connecticut ¹² reduces the age limit from 18 to 16 for the hearing in chambers of first offenses.

The Tennessee act applying to Kingsport ¹³ includes boys and girls under 16 only, but jurisdiction once obtained may continue until the child is 18.

West Virginia ¹⁴ reduces the age limit for dependent boys from 18 to 16.

¹ Nebraska. 1919 C 116.

² West Virginia. 1919 C 46 s 5.

³ West Virginia. 1919 C 110 s 4.

⁴ Wisconsin. 1919 C 614 s 2.

⁵ Tennessee. Private Acts 1919 C 558 s 11.

⁶ Alabama. 1919 No 146 ss 2 and 3.

⁷ Montana. 1919 C 202 s 1.

⁸ New Mexico. 1919 C 86.

⁹ Wyoming. 1919 C 119 s 2.

¹⁰ Maine. 1919 C 56.

¹¹ Idaho. 1919 C 161 s 1.

¹² Connecticut. 1919 C 110.

¹³ Tennessee. Private Acts 1919 C 558 ss 6 and 9.

¹⁴ West Virginia. 1919 C 119 s 4.

2. Classes of cases included.

The juvenile court in counties of 150,000 or over in Alabama¹ is given jurisdiction over the cases of delinquent, dependent, and neglected children. The probate court of Vanderburgh County in Indiana,² in addition to these classes, is given jurisdiction over truant children and in all cases where the custody or legal punishment of a child is in question. The court of domestic relations in Oregon,³ besides controlling delinquent, dependent, and neglected children is given jurisdiction in the cases of children who are indigent and sick or deformed and those who are feeble-minded, epileptic, or criminally inclined, and in all cases for the adoption of children. The juvenile courts in Missouri⁴ are given control over admission to the State school for the deaf and exclusive jurisdiction over the commitment of girls between 7 and 17 to the State industrial schools.

3. Definition of delinquency.

The Alabama statute applying to counties of 150,000 or over⁵ defines a delinquent child as one who violates any Federal or State law or any local ordinance or who commits any offense for which a person may be prosecuted by a criminal action. The definition of a dependent child is much wider, however, and brings under the jurisdiction of the court a child who for any cause "is in need of the care and protection of the State."

4. Definition of dependency and neglect.

A dependent or neglected child is defined by the Alabama statute for counties of 150,000 or over⁶ as one who is (1) destitute, (2) homeless, (3) abandoned, (4) dependent upon the public for support, (5) in surroundings dangerous to morals, health, or general welfare, (6) engaged in an occupation, calling, or exhibition, or found in any place, for permitting which an adult may be punished by law, (7) within the provisions of any regulations for the education, care, and protection of children, (8) for any other cause in need of the care and protection of the State, or (9) one whose custody is the subject of controversy.

The Idaho statute⁷ makes substantially the same classification adding (1) a child whose parents or guardian have for the period of six months willfully neglected to take reasonable care and (2) one whose parent has been confined in any penal, charitable, or State educational institution in the State for a period of more than six months and who is left without lawful guardian or next of kin able and willing to take proper care.

¹ Alabama. 1919 No 146 ss 2 and 3.

² Indiana. 1919 C 99 s 1.

³ Oregon. 1919 C 296 s 1.

⁴ Missouri. 1919 p 195 s 1; 1919 p 186 s 1; 1919 p 189 s 1.

⁵ Alabama. 1919 No 146 s 3.

⁶ Alabama. 1919 No 146 s 2. (Applies only to counties of 150,000 population or over.)

⁷ Idaho. 1919 C 161 s 1.

Tennessee, in the act applying to the city of Kingsport,¹ makes no distinction between the charge of dependency or delinquency but defines a delinquent or dependent child as one who is (1) found begging or receiving alms, (2) vagrant, (3) without home, proper guardianship, or visible means of support, (4) without proper parental control, (5) destitute, (6) in a home which is unfit, (7) in the company of criminals, vagrants, or prostitutes, (8) living in a house of prostitution, (9) found in any saloon, pool room, or place where liquors are sold, (10) persistently disobedient, (11) incorrigible, (12) an habitual truant, (13) addicted to intoxicating liquor, cigarettes, or drugs, (14) an orphan or deserted by parents and in danger of being brought up to lead an immoral life, (15) whose mother (the father being dead) can not properly support him, or (16) one who violates any law or ordinance, except crimes punishable by life imprisonment or death.

5. Discretion of the court in case of crime.

Alabama² provides that the judge of the juvenile court in counties of 150,000 or over may transfer any delinquent child who "can not be made to lead a correct life, and can not be properly disciplined" under the juvenile-court law to any court having jurisdiction over the offense committed. Such a child may be committed to the county jail to await trial.

Tennessee³ allows the juvenile court in Kingsport to bind over to the criminal court children charged with crimes and misdemeanors. A child, moreover, who is charged with violating any law or statute is given the right to waive examination by the juvenile court and may in that case be committed to the county jail or required to give security for appearance in the criminal court.

Wisconsin⁴ leaves it to the discretion of the examining magistrate to commit a boy under 17 or a girl under 18 charged with an offense punishable by imprisonment in the State prison either to the juvenile court or to the court having jurisdiction in such cases. In the latter case all rules applying to trial, sentence, and commitment in criminal cases are to be followed, except that the court may, in its discretion, dispose of the child in the manner provided for commitment under the juvenile-court law.

B. OVER ADULTS.

1. Contributing to delinquency and dependency.

Alabama⁵ provides for counties of 150,000 or over that the juvenile court may have jurisdiction in the case of any person contributing

¹ Tennessee, Chapter Acts 1917 C. 105-8.

² Alabama, 1915 No. 105-21.

³ Tennessee, Chapter Acts 1913 C. 105-5 and 10.

⁴ Wisconsin, 1915 C. 105-17.

⁵ Alabama, 1915 No. 105-21, allows 12 months' imprisonment while law for State (General Laws 1915 No. 105-17) provides for only 6 months.

to the delinquency or dependency of a child. The court is given authority to try the case and to impose sentence without the intervention of a jury. Appeal may be taken to the circuit court of the county.

The probate court of Vanderburgh County in Indiana¹ and the court of domestic relations in counties of 200,000 or more in Oregon² are given original and exclusive jurisdiction in the cases of persons contributing to the delinquency or dependency of a child.

California³ provides that jurisdiction over persons contributing to delinquency or dependency of a child who has been declared to be a ward of the juvenile court may be had by the court either of the county in which the child was placed or of the county in which the offense was committed.

Other States make no change in the jurisdiction of the courts over this class of cases.⁴

2. Desertion and nonsupport.

The court of domestic relations in counties of 200,000 or more in Oregon² is given jurisdiction concurrent with that of the circuit court in cases of desertion and nonsupport.

3. Other jurisdiction.

New Jersey⁵ gives the juvenile court jurisdiction in the cases of parents or guardians who fail to comply with the compulsory school-attendance law.

III. PRELIMINARY PROCEDURE.

A. PETITION OR COMPLAINT.

The Alabama statute applying to counties of 150,000 or over,⁶ the Idaho statute relating to dependent children,⁷ and the Tennessee statute applying to the city of Kingsport⁸ provide that proceedings may be begun by verified petition filed by any person having knowledge of the case.

B. SUMMONS OR WARRANT.

Alabama⁹ provides for a "summons" served by any person selected by the court in counties of 150,000 or over, Idaho¹⁰ for a "notice and citation," and Tennessee¹¹ for a "citation," to require the attendance at court of the child and other necessary persons in the city of Kingsport. Failure to comply constitutes contempt of court.

¹ *Indiana*. 1919 C 99 s 1.

² *Oregon*. 1919 C 296 s 1.

³ *California*. 1919 C 55. The superior court sitting as a juvenile court was given original jurisdiction by 1915 C 631 s 21.

⁴ Montana raises the age limit of the child affected from 17 to 18 to correspond to the amendment to the juvenile-court law, 1919 C 202 s 7.

⁵ *New Jersey*. 1919 C 34.

⁶ *Alabama*. 1919 No 146 ss 8 and 9.

⁷ *Alabama*. 1919 No 146 s 7.

¹⁰ *Idaho*. 1919 C 161 s 5.

⁸ *Idaho*. 1919 C 161 s 4.

¹¹ *Tennessee*. Private Acts 1919 C 558 s 8. City of Kingsport.

⁹ *Tennessee*. Private Acts 1919 C 558 s 7.

C. PRELIMINARY INVESTIGATION.

The Alabama statute¹ requires the juvenile court in counties of 150,000 or over to make an investigation of the case before serving summons.

D. CUSTODY AND CARE OF CHILD PENDING HEARING.

Alabama¹ prohibits in counties of 150,000 or over the detention of a dependent, neglected, or delinquent child in a jail or other place where criminals are confined, except in the case of a child transferred by the juvenile court to a regular criminal court. The delinquent child may be released on bail or on his own recognizance or may be left in the care of his parents, guardian, or probation officer. The judge of the juvenile court may arrange, with any incorporated or unincorporated society, for the temporary care of children before or during hearing. If such an arrangement is impossible, in the opinion of the judge, the statute requires the county authorities immediately to establish a suitable detention home.

Arizona² provides that the detention home, including appointment and removal of the person in charge, shall be under the control of the juvenile court.

Delaware³ provides that the judge of the juvenile court in Wilmington shall have power to appoint a matron for the detention home.

Missouri⁴ creates parole boards in counties of not less than 80,000 nor more than 500,000 which are given governing authority over the detention homes.

Tennessee⁵ prohibits in the city of Kingsport confinement in the county jail when avoidable and provides that a child taken into custody by the juvenile court may be admitted to bail, released without bail, or detained pending hearing in a place which the county court and board of mayor and aldermen of the city are required to provide, separately for white and for colored children. The judge may, however, arrange with a suitable society or individual for the temporary detention of children.

West Virginia⁶ requires the establishment of a detention home in counties of 40,000 or over.

IV. HEARING.**A. NATURE OF PROCEEDINGS.**

The nature of the proceedings in the juvenile court shall be explained to the child and his parents in counties of 150,000 or over in

¹ Alabama. 1919 No 146 s 8.

² Arizona. 1919 p 165 C 103 s 5.

³ Delaware. 1919 C 223.

⁴ Missouri. 1919 p 608 s 5 and 1919 p 611 s 5.

⁵ Tennessee. Private Acts 1919 C 558 ss 7, 12, and 13.

⁶ West Virginia. 1919 C 111 s 37.

Alabama.¹ The judge of the juvenile court in Kingsport, Tenn.,² may conduct the examination of witnesses without the aid of counsel and may inquire into the habits, surroundings, conditions, tendencies, and guardianship of the child. In so far as practicable the child shall not be treated as a criminal but as misdirected, misguided, neglected, and needing aid and encouragement.

B. TIME AND PLACE.

Alabama³ provides that the hearing in counties of 150,000 or over may be held in chambers or in any other room provided and may be held in any place in the county which is convenient to the court and all parties involved.

Idaho⁴ provides for hearings in the cases of dependent children in any room in the courthouse and requires the hearing, so far as possible, to be separate from other business of the court.

Nebraska⁵ requires in counties of more than 50,000 a special room to be designated the "juvenile court room."

Connecticut's provision for hearings in chambers in cases of first prosecutions of children⁶ has been amended to include only children under 18 heard by the district court of Waterbury; courts of common pleas; town, city, borough, or police courts; and justices of the peace.

Tennessee⁷ requires the juvenile court in the city of Kingsport to be held in some room other than the regular court room.

C. PRIVACY.

Alabama,⁸ Idaho,⁹ and Wisconsin¹⁰ provide that all persons not directly interested in the case may be excluded from hearings in the juvenile court and that the court record may be withheld from public inspection except by special order of the court. Maine¹¹ provides for private hearings and closed records in the cases of boys between 8 and 16. Idaho¹² forbids also the publication of the name of a dependent child in the court's annual reports to the governor. Tennessee¹³ permits hearings "behind closed doors" if desired.

¹ Alabama. 1919 No 146 s 10.

² Tennessee. Private Acts 1919 C 559 s 9.

³ Alabama. 1919 No 146 s 11.

⁴ Idaho. 1919 C 161 s 9.

⁵ Nebraska. 1919 C 116 s 1.

⁶ Connecticut. 1919 C 110. Does not include offenses punishable by death or by imprisonment in the State prison.

⁷ Tennessee. Private Acts 1919 C 558 s 12.

⁸ Alabama. 1919 No 146 s 11. Counties of 150,000 or over.

⁹ Idaho. 1919 C 161 s 7. Applies to dependant children. Parents, guardians, or attorneys may examine record by special order of court.

¹⁰ Wisconsin. 1919 C 614 s 2.

¹¹ Maine 1919 C 58. Parents or guardians have access to records.

¹² Idaho. 1919 C 161 s 2.

¹³ Tennessee. Private Acts 1919 C 558 s 12. City of Kingsport.

D. APPOINTMENT OF REFEREES.

Alabama¹ allows the judge in counties of 150,000 or over to appoint probation officers or other persons to hear cases in the first instance. Provided no exceptions are taken and a review is not asked, the judgment of the referee may be confirmed by the judge of the juvenile court.

E. MENTAL AND PHYSICAL EXAMINATION.

Alabama² makes it the duty of the court in counties of 150,000 or over to have a child examined when practicable by a duly licensed and practising physician. The court is given authority to enforce such an order in all cases coming under its jurisdiction.

Arizona³ provides that the court may require a medical or mental examination of any child.

F. THE JURY.

Idaho⁴ provides that cases of dependent and neglected children shall be heard without a jury.

G. APPEAL.

Appeal may be taken from the juvenile court in counties of 150,000 or over in Alabama⁵ to any court of the county having equity jurisdiction.

Idaho⁶ provides in the case of dependent or neglected children for an appeal to the district court, where the trial shall be held anew and without a jury.

Montana⁷ has amended the provision of the juvenile-court law relating to appeals, making it applicable to all cases under the law.

Michigan⁸ provides that a rehearing, when granted by the judge of the juvenile division of the probate court, shall be held by the judge of the circuit court or the judge of the probate court of another county.

Appeal may be taken from the juvenile court of Kingsport, Tenn.,⁹ to the circuit court of the county and may be heard without a jury unless demanded on the first day of the trial term.

H. USE OF EVIDENCE IN OTHER TRIALS.

Proceedings in the juvenile court shall not be used as evidence in any other court to which a child is transferred in counties of 150,000 or over in Alabama¹⁰ and in Kingsport, Tenn.¹¹

V. DISPOSITION OF THE CASE.**A. RELIGIOUS BELIEF OF PARENTS RESPECTED.**

The Alabama statute applying to counties of 150,000 or over¹² requires the judge of the juvenile court to respect the religious belief

¹ *Alabama*. 1919 No 146 s 19.

² *Alabama*. 1919 No 146 s 15.

³ *Arizona*. 1919 p 165 C 103 s 3.

⁴ *Idaho*. 1919 C 161 s 7.

⁵ *Alabama*. 1919 No 146 s 26.

⁶ *Idaho*. 1919 C 161 s 18.

⁷ *Montana*. 1919 C 202 s 5.

⁸ *Michigan*. 1919 No 365 s 1.

⁹ *Tennessee*. Private Acts 1919 C 558 s 10.

¹⁰ *Alabama*. 1919 No 146 s 21.

¹¹ *Tennessee*. Private Acts 1919 C 558 s 9.

¹² *Alabama*. 1919 No 146 s 10.

of the parents in committing a child to an institution or association other than a public institution.

B. CIVIL STATUS OF CHILD.

The Alabama¹ and Tennessee² statutes provide that no judgment under the juvenile-court law shall disqualify a child for any public office or for the civil service, that the child shall not be denominated a criminal, and the adjudication not a conviction.

C. DISPOSITION OF CASE.

1. Delinquent children.

(a) *Probation*.—In counties of 150,000 or over in Alabama,³ and in Kingsport, Tenn.,⁴ the juvenile court may allow a delinquent child to remain in his own home subject to the supervision of the truant officer.

(b) *Appointment of guardian*.—The judge of the juvenile court in counties of 150,000 or over in Alabama⁵ may decide as between parents whether the father or mother shall have the custody of the child; but if it is necessary to appoint a legal guardian of the child's person and property, the judge must apply to the probate court.

(c) *Commitment*.—Alabama⁶ provides that in counties of 150,000 or over the juvenile court may commit a delinquent child to a family home under the supervision of a probation officer; to any person, association, or society for the care of children within the State; or to any State institution for children.

Indiana⁷ provides that a boy over 10 and under 16 who has violated a criminal law may be committed, by the court having jurisdiction, to the house of refuge for juvenile offenders instead of to the county jail or State prison.

Iowa⁸ prohibits the commitment of a child under 10 to the State training schools for boys or girls and provides that such children may be placed in the Soldiers' Orphans' Home. Another Iowa statute⁹ provides for the establishment of a State juvenile home to which all delinquent, dependent, and neglected children shall be committed unless in the opinion of the court they should be cared for otherwise.

New Mexico¹⁰ provides for the commitment of girls under 18 to the State Girls' Welfare Board.

Tennessee⁴ provides for commitment by the juvenile court of Kingsport to State, county, or private industrial schools, but also allows binding out to apprenticeship, and in the case of crime or misdemeanors fine or commitment to the county workhouse.

¹ Alabama. 1919 No 146 s 11. Counties of 150,000.

² Tennessee. Private Acts 1919 C 558 s 9. City of Kingsport.

³ Alabama. 1919 No 146 s 10.

⁴ Tennessee. Private Acts 1919 C 558 s 9.

⁵ Alabama. 1919 No 146 s 13.

⁶ Alabama. 1919 No 146 s 10.

⁷ Indiana. 1919 C 171.

⁸ Iowa. 1919 C 12.

⁹ Iowa. 1919 C 165 s 4.

¹⁰ New Mexico. 1919 C 86 s 2.

2. Dependent children.

(a) *Probation*.—The Alabama statute applying to counties of 150,000 or over¹ provides for the probation of dependent and neglected children in their homes. Iowa² amends the provision of the juvenile court relating to probation to include dependent and neglected children.

(b) *Appointment of guardian*.—Idaho³ provides that a dependent or neglected child shall become the ward and be subject to the guardianship of the person, institution, or society to which it is committed, but that such guardianship shall not include control over the estate of the child.

(c) *Commitment*.—A dependent or neglected child in counties of 150,000 or over in Alabama⁴ may be committed in the same manner as a delinquent child.

Idaho⁴ provides for the commitment of dependent children to any suitable person, society, or institution in the State.

Missouri⁵ and Vermont⁶ prohibit the commitment of dependent or neglected children to the State industrial schools provided for delinquent children.

D. SPECIAL CARE FOR THE SICK AND THE FEEBLE-MINDED.

A child in need of medical care may be placed in a public or private hospital by order of the juvenile court in counties of 150,000 or over in Alabama.⁷ The expense of such care may be charged against the county.

E. PARENTAL DUTY OF SUPPORT.

The court in counties of 150,000 or over in Alabama⁸ may inquire into the financial ability of parents or guardians and may order payment for the care of any child under the juvenile-court law. Failure to comply constitutes contempt of court.

West Virginia⁹ provides for commitment of dependent or neglected children to the State board of childrens' guardians but retains provisions for commitment directly to institutions approved by the board.

¹ Alabama. 1919 No 146 s 10.

² Iowa. 1919 C 246.

³ Idaho. 1919 C 161 ss 8 and 12.

⁴ Idaho. 1919 C 161 s 8.

⁵ Missouri. 1919 p 186 s 42; 1919 p 189 s 56; 1919 p 191 s 26.

⁶ Vermont. 1919 No 207. (Except with approval of State board of charities and probation.)

⁷ Alabama. 1919 No 146 s 15.

⁸ Alabama. 1919 No 146 s 14.

⁹ West Virginia. 1919 C 110 ss 4 and 5.

VI. CONTINUING JURISDICTION AND RELATION OF COURT TO INSTITUTIONS IN WHICH CHILDREN ARE PLACED.

Alabama¹ provides for counties of 150,000 or over that probation officers or other agents of the court shall visit children placed in institutions or in the care of individuals or associations and that the court may change the order of commitment at any time. All agencies and institutions receiving children are required to give information to the court.

In New Mexico² the Girls' Welfare Board must obtain the approval of the court before paroling girls committed to its care.

The judge of the juvenile court of Kingsport, Tenn.,³ is given power to modify or revoke any order, release, parole, recommit, or bind any child to the criminal court at his discretion. He is also required to visit and inspect at least once a year all institutions to which children are committed and is authorized to examine witnesses and appoint referees for the purpose of obtaining any information concerning such institutions.

VII. ORGANIZATION OF THE COURT.

A. JUDGE.

1. Method of selection.

The judge of the juvenile court in counties of 150,000 or over in Alabama⁴ is appointed by the governor of the State, in counties of more than 50,000 in Nebraska⁵ by the associate district judges. The judge of the city court or any other person appointed by the board or mayor and aldermen in the city of Kingsport, Tenn.,⁶ may act as judge of the juvenile court.

2. Tenure.

In Alabama⁴ the judge is appointed for six years; in Nebraska⁷ for the term of the district judge.

3. Salary.

The salary of the judge of the juvenile court is \$3,000 in counties of 150,000 or over in Alabama;⁴ \$4,000 in Boston;⁸ and \$1,500 in addition to his salary as circuit judge in counties of less than 50,000 in Missouri.⁹ Wisconsin¹⁰ provides that the county board may make an annual appropriation for compensation for the additional services rendered by a juvenile-court judge.

4. Qualifications.

Alabama⁴ provides for counties of 150,000 or over that the judge of the juvenile court shall have been a citizen of the United States

¹ Alabama. 1919 No 146 ss 10 and 17.

² New Mexico. 1919 C 86 s 2.

³ Tennessee. Private Acts 1919 C 558 ss 9 and 14

⁴ Alabama. 1919 No 146 s 6.

⁵ Nebraska. 1919 C 116 s 1.

⁶ Tennessee. Private Acts 1919 No 146 s 2.

⁷ Nebraska. 1919 C 116 s 1.

⁸ Massachusetts. 1919 C 255.

⁹ Missouri. 1919 p 273.

¹⁰ Wisconsin. 1919 C 618.

and of the county for three years; learned in the law; at least 30 years of age; of high moral character; clean life; and especially fit by training, education, and experience to deal with dependent, neglected, and delinquent children.

B. PROBATION OFFICERS.

1. Appointment.

Provision is made for the appointment of probation officers in counties of 150,000 or over in Alabama¹ by the juvenile-court judge on the recommendation of the advisory board, in Vanderburgh County in Indiana² by the probate judge, and in counties of 200,000 in Oregon³ by the court of domestic relations with the approval of the State child-welfare commission. Delaware⁴ provides that the chief justice and associate justices of the State may appoint a probation officer in each county.

2. Number and salary.

A number of States have made changes in legal provisions regarding the number and the salary of probation officers. Alabama¹ provides for a chief probation officer and such others as the judge deems necessary in counties of 150,000 or over. California⁵ reduces the number of probation officers for counties or cities and counties of the second class from a chief and 10 assistants to a chief and 9 assistants. Indiana⁶ requires the appointment of at least one officer in counties of less than 100,000, at least three in larger counties, and permits in addition the appointment of two regular officers in counties of 50,000 and under 100,000, and one or more special officers in counties of 25,000 and less than 100,000. Nebraska⁷ provides for the appointment of four probation officers in counties of more than 100,000, three in counties of 50,000 or more, and one in counties of less than 50,000. In counties of less than 20,000 the sheriff may perform the duties of probation officer, unless the board of supervisors or county commissioners authorize the appointment and payment of a probation officer. Oregon⁸ provides for a chief probation officer and as many subordinates as the judge of the court of domestic relations in counties of 200,000 or more considers necessary. New Jersey⁹ provides that the judge of the juvenile court in counties of the first class may appoint four persons as officers or attendants of the court and that their salaries shall be in accordance with the schedule established by the State civil service commission. Tennessee¹⁰ requires the judge of the juvenile court to appoint one male probation officer and authorizes the appointment of as many assist-

¹ Alabama. 1919 No 146 s 17.

² Indiana. 1919 C 99 s 25.

³ Oregon. 1919 C 296 s J.

⁴ Delaware. 1919 C 222.

⁵ California. 1919 C 631.

⁶ Indiana. 1919 C 222 s 1.

⁷ Nebraska. 1919 C 117 s 1; 1919 C 132.

⁸ Oregon. 1919 C 296.

⁹ New Jersey. 1919 C 240.

¹⁰ Tennessee. Private Acts 1919 C 558 s 4.

ants as necessary. West Virginia¹ makes compulsory the appointment of two probation officers in counties of less than 40,000.

Alabama² provides a maximum payment of \$1,800 for the chief and \$1,200 for the assistant probation officers in counties of 150,000 or over. Arizona³ provides for a salary of not over \$150 a month for the chief probation officer. California⁴ provides \$250 a month for the chief, \$200 for one assistant, and \$140 for other assistant officers in counties of the second class. Delaware⁵ provides that the salary of the probation officer may be fixed by the court but shall not exceed \$1,800 in New Castle County and \$1,200 in Kent and Sussex Counties. In the city of Wilmington⁶ the salary of one woman probation officer is raised from \$800 to \$1,000, of the other two women officers from \$800 to \$900, and of the chief probation officer from \$1,200 to \$2,000. Indiana⁷ provides for \$1,500 for the chief, \$1,200 for the assistant, and \$1,100 for additional officers in counties of 100,000 or more, \$4 per day in counties of 25,000 and under 100,000, and \$3 per day in smaller counties. Iowa⁸ provides that in counties of 35,000 or over four probation officers may be paid salaries not exceeding \$125 per month. Minnesota⁹ increases the salaries of probation officers in counties of 150,000 and under 200,000 from \$1,800 to \$2,400; and in counties of 200,000 and not over 300,000 from \$2,000 to \$2,300 for the chief, and from \$900, \$1,200, and \$1,500 to \$1,000, \$1,380, and \$1,800 for deputies and assistants. Missouri¹⁰ by a reclassification raises the salaries of probation officers in counties of 90,000 and less than 100,000 from \$1,000 to \$1,500 and reduces those in counties of 100,000 and less than 110,000 from \$2,000 to \$1,500. Montana¹¹ increases the salary of the chief officer from \$1,800 to \$2,400, the assistants from \$1,200 to \$1,500. Nebraska¹² raises the salaries in counties of over 100,000 from \$1,800 for the chief and \$1,200 for the assistant to \$2,000 and \$1,500, respectively. Oregon¹³ provides for a salary not to exceed \$2,000 for the chief probation officer in counties of 200,000 or more. The salary of assistant officers is left to the discretion of the county commissioner. Tennessee¹⁴ provides that probation officers of the juvenile court of Kingsport shall serve without compensation. Texas¹⁵ provides for counties of 35,000 and less than 75,000 and containing a city of 29,000 one probation officer who may receive \$2,400; for other counties of less than 75,000 one officer who may be paid not over \$1,200; and for counties of more than 75,000 at least

¹ *West Virginia*. 1919 C 111 s 6.

² *Alabama*. 1919 No 116 s 17.

³ *Arizona*. 1919 p 165 C 103 s 1.

⁴ *California*. 1919 C 631.

⁵ *Delaware*. 1919 C 222.

⁶ *Delaware*. 1919 C 223.

⁷ *Indiana*. 1919 C 222 s 1.

⁸ *Iowa*. 1919 C 41.

⁹ *Minnesota*. 1919 C 350.

¹⁰ *Missouri*. 1919 p 275.

¹¹ *Montana*. 1919 C 202.

¹² *Nebraska*. 1919 C 117 s 1; 1919 C 132.

¹³ *Oregon*. 1919 C 296.

¹⁴ *Tennessee*. Private Acts 1919 C 558.

¹⁵ *Texas*. 1919 C 51 s 1.

two officers, the chief to receive not over \$2,400. Additional officers may be paid upon vote of the county commissioner's court. West Virginia¹ raises the salaries of probation officers in all counties from \$600 to \$1,200.

3. Powers and duties.

Probation officers appointed by the juvenile court in counties of 150,000 or over in Alabama² have the powers of sheriffs and police officers and may serve process and make arrests. Delaware³ gives probation officers all the powers of constable and requires them to make investigations when directed by the court and to keep suitable books and records. Tennessee⁴ provides that probation officers in the city of Kingsport shall have the powers of peace officers, shall serve citations of the court, investigate all cases, take charge of children before hearing, and visit the homes of children under the jurisdiction of the court. Any peace officer, that is, any policeman, the sheriff or deputies, or the constable, may perform the same duties in connection with the juvenile court.

C. ADVISORY, SUPERVISORY, OR ADMINISTRATIVE BOARD.

Alabama⁵ provides that the judge of the juvenile court in counties of 150,000 or over may appoint an advisory board of five members to advise and cooperate in the appointment of probation officers and in all other matters arising under the juvenile-court law, to visit institutions and associations receiving children committed by the court, and to report to the public concerning the work of the court.

Arizona⁶ provides for the appointment by the court of a board of three persons to make monthly inspections and reports to the court as to the condition of the detention home.

Nevada⁷ provides for the appointment by the court of a probation committee to report on other than State institutions and to have control over the internal affairs of the detention home.

D. RECORDS AND REPORTS.

Alabama⁸ provides that the court may determine the form and character of its records in counties of 150,000 or over. Arizona⁹ requires a record which shall include the names of the child and parents, age, birthplace, and other information which has been obtained. Idaho¹⁰ and Nebraska¹¹ require a record to be kept of the cases of dependent children. Idaho¹² provides for an annual

¹ *West Virginia*, 1919 C 111 s 6.

² *Alabama*, 1919 No 146 s 17.

³ *Delaware*, 1919 C 222.

⁴ *Tennessee*, Private Acts 1919 C 558 s 4.

⁵ *Alabama*, 1919 No 146 s 18.

⁶ *Arizona*, 1919 p 165 C 103.

⁷ *Nevada*, 1919 C 24.

⁸ *Alabama*, 1919 No 146 s 24.

⁹ *Arizona*, 1919 p 165 C 103.

¹⁰ *Idaho*, 1919 C 161 s 3.

¹¹ *Nebraska*, 1919 C 190 s 2.

¹² *Idaho*, 1919 C 161 s 3.

report to the governor, and Nebraska¹ requires a monthly report to the State department of public welfare in the case of dependent children. Tennessee² provides that the juvenile court of the city of Kingsport shall be a court of record and that the city judge or city recorder shall keep a minute record of proceedings.

VIII. CONSTRUCTION AND PURPOSE OF THE LAW.

Alabama³ provides for a liberal construction of the statute applying to counties of 150,000 or over in order to accomplish its beneficial purpose.

Idaho⁴ provides that the act applying to dependent children shall be liberally construed that the care shall approximate that which should be given by parents.

Tennessee⁵ provides that the act applying to the city of Kingsport shall be construed liberally and as remedial in character.

¹ *Nebraska*, 1919 C 190 s 2.

² *Tennessee*, Private Acts 1919 C 558.

³ *Alabama*, 1919 No 146 s 28.

⁴ *Idaho*, 1919 C 161 s 21.

⁵ *Tennessee*, Private Acts 1919 C 558 s 3.

LIST OF AMENDMENTS, BY STATES.

Alabama:

General Laws 1919 No 146. (Applies to counties of 150,000 or over. Supersedes Local Acts 1915 No 361.)

Arizona:

1919 p 165 C 103. (To increase the efficiency of juvenile courts.)

California:

1919 C 55 amending Penal Code s 777. (Jurisdiction of offenses.)

1919 C 293 amending 1915 C 631 s 11 as amended 1917 C 627 and C 634.

1919 C 359 amending 1915 C 631 s 13 as amended 1917 C 627 and C 634.

1919 C 631 amending 1915 C 631 s 19b as amended 1917 C 627 and C 634.

Connecticut:

1919 C 110 amending General Statutes 1918 s 1856.

Delaware:

1919 C 222 amending Revised Code 1915 ss 3816, 3817, and 3818.

1919 C 223 amending Revised Code 1915 s 3833 as amended 1917 C 252 and adding s 3833 A.

Idaho:

1919 C 161 repealing 1909 p 38 No 267 as amended 1911 C 185 and C 193.

Indiana:

1919 C 76. (Compensation for care of dependent children.)

1919 C 99. (Creating probate court of Vanderburgh County and conferring juvenile-court jurisdiction.)

1919 C 171 amending Burns' Annotated Statutes s 10004.

1919 C 222 amending Burns' Annotated Statutes 1914 s 1631.

Iowa:

1919 C 12 amending Supplement to the Code 1913 s 254-a20.

1919 C 41 amending Supplement to the Code 1913 s 254-a18.

1919 C 165. (Establishing State home for children.)

1919 C 246 amending Supplement to the Code 1913 s 254-a23.

Kansas:

1919 C 211 amending General Statutes 1915 s 3098.

Maine:

1919 C 58 adding s 3 to Revised Statutes 1916 C 144.

1919 C 76 amending Revised Statutes 1916 C 137 s 10 as amended 1917 C 203; also amending C 137 s 19.

Massachusetts:

1919 C 255. (Establishing salary of judge of Boston juvenile court.)

Michigan:

1919 No 365 amending Compiled Laws 1915 s 2023.

Minnesota:

1919 C 304 s 9 amending General Statutes 1913 s 235.

1919 C 333 amending 1917 C 223 s 6 and repealing General Statutes 1913 ss 7197, 7198, and 7199.

1919 C 350 amending General Statutes 1913 s 9390.

Missouri:

1919 p 186 amending 1917 p 155 ss 39, 40, 42, and 49.

1919 p 188 supplementing 1917 p 155.

1919 p 189 repealing 1917 p 150.

1919 p 189 amending 1917 p 155 ss 55, 56, and 63.

1919 p 191 amending 1917 p 155 ss 22, 23, 26, and 33.

1919 p 195 amending Revised Statutes 1909 s 1495.

1919 p 197 amending 1917 p 155 ss 32, 47, and 61.

1919 p 199 repealing 1917 p 155 ss 24, and 25.

1919 p 201 repealing 1913 p 148.

1919 p 273. (Salary of judges.)

1919 p 275 amending 1911 p 177 s 11.

1919 p 608. (Board of paroles in counties 80,000-200,000.)

1919 p 611. (Board of paroles in counties 200,000-500,000.)

Montana:

1919 C 202 amending 1911 C 122 ss 1, 2, 5, 6, 10, and 18 and 1911 C 122 s 14 as amended 1915 C 52.

Nebraska:

1919 C 116 amending Revised Statutes 1913 s 1246.

1919 C 117 amending Revised Statutes 1913 s 1249 as amended 1915 C 24 and 1917 C 24.

1919 C 132 amending Revised Statutes 1913 s 9145 as amended 1915 C 168.

1919 C 190. (Placing dependent and neglected children.)

Nevada:

1919 C 24 amending Revised Laws 1912 s 734 as amended 1917 C 63.

New Jersey:

1919 C 34 amending 1915 C 224. (School attendance.)

1919 C 179 amending 1915 C 118. (Mothers' pensions.)

1919 C 240 amending 1912 C 353 s 20. (Probation officers.)

New Mexico:

1919 C 86. (Girls' welfare board.)

New York:

1919 C 416 amending Consolidated Laws 1909 C 40 (Penal) art 196 s 2184 as amended 1913 C 607.

Oregon:

1919 C 128 amending 1913 C 342 s 13 as amended 1915 C 243 s 1. (State training school.)

1919 C 296 amending Lord's Oregon Laws 1910 s 4407 as amended 1915 C 147. (Court of Domestic Relations in counties of 200,000 or more.)

1919 C 388 amending Lord's Oregon Laws 1910 s 4412 as amended 1913 C 249. (Probation officers.)

Pennsylvania:

1919 p 445 amending 1903 p 274 s 6 as amended 1915 p 304.

Tennessee:

Private Acts 1919 C 558. (City of Kingsport.)

Texas:

1919 (Second Called Session) C 51 amending Code of Criminal Procedure 1911 art 1202 as amended 1913 C 112 s 8 and 1919 (Regular Session) C 91.

Vermont:

1919 No 204 amending General Laws 1917 s 7299.

1919 No 206. (Dependent children.)

1919 No 207. (Dependent children.)

West Virginia:

1919 C 46. (County home in Marion County.)

1919 C 110 amending Barnes' Code 1918 C 15 J.

1919 C 111 amending 1915 C 70 as amended 1917 C 63.

Wisconsin:

1919 C 30 amending Statutes 1915 ss 4725a, 4734a, 4734b, 4734c, 4734g, 4734j, and 4734k.

1919 C 614 amending Statutes 1915 ss 561j-13m, 573, 573-1, 573-2, 573-3, 573-4, 573-5, 573-6, 573-7, 573-8, 573-9, 573-10, 573a, 573aa, 573ab, 573c, 573d, 573f, 573g, 573h, 697-2 to 697-7, 697-9, 697-10, 697-18 to 697-24, 697-26 to 697-31, 1527, 1543, 1547, 2344a, 4961, 4962, 4963, 4966, 4967, 4968, 4970, 1907 C 447 s 1, and 1903 C 447 ss 2 and 4 as amended 1907 C 186 and repealing Statutes 1915 ss 573e, 573i, 1544, 1545, 1546a, 1547, 4556A, 4965, 4970-1, 4970-2, 4970-3, 4970-5, 4970-6.

1919 C 618.

Wyoming:

1919 C 119 amending Compiled Statutes 1910 s 3128 and 1915 C 99 s 2.

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~~APR - 9 1927~~
~~MAY - 4 1936~~

